

# Request for Comments

## Proposed Certification of Completion for JOTZ, LLC at former Ed's Mufflers

Comments due: 5 p.m. Oct. 31, 2016

**Project location:** 17855 SE McLoughlin Boulevard, Milwaukie, OR

**Proposal:** DEQ is preparing to certify that all actions required have been satisfactorily completed. This project has resulted in both environmental and economic benefits.

**Highlights:** In December 2015 JOTZ, LLC entered a Prospective Purchaser Agreement (Consent Judgment 15CV34367) with DEQ and agreed to complete a Scope of Work on the subject property, including: the decommissioning and removal of hydraulic lifts; extraction of residual water, oil and sludge from lift vaults; backfilling of the lift vaults and subsequent capping; and impervious sealing of the shop floor.

DEQ reviewed the requirements of the PPA and the corresponding actions, and has made a preliminary determination that all obligations of the PPA have been satisfactorily performed and that a Certification of Completion should be issued.

DEQ created the prospective purchaser agreement program in 1995 through amendments to the state's Environmental Cleanup Law. The prospective purchaser agreement is a tool that expedites the cleanup of contaminated property and encourages property transactions that would otherwise not likely occur because of the liabilities associated with purchasing a contaminated site.

The Certification of Completion confirms JOTZ, LLC's release from liability for claims by the State of Oregon under ORS 465.200 to 465.545 and 465.990, 466.640, and 468B.310 regarding existing hazardous substance releases at or from the property. The consent judgment and certification of completion also provide JOTZ, LLC with third party liability protection.

**How to comment:** Send comments to DEQ Project Manager Mike Greenburg at 700 NE Multnomah Street, Suite 600, Portland, OR, 97232 or [greenburg.michael@deq.state.or.us](mailto:greenburg.michael@deq.state.or.us). For more information contact the project manager at 503-229-5153.

[Request DEQ project file review.](#)

[File review application form](#)

Access site summary information and other documents in the [DEQ Environmental Cleanup Site Information database](#), select "Search complete ECSI database," then enter 5909 in the Site ID box and click "Submit" at the bottom of the page. Next, click the link labeled 5909 in the Site ID/Info column. Alternatively, you may go directly to the database website for this page at <http://www.deq.state.or.us/Webdocs/Forms/Output/FPCController.aspx?SourceId=5909&SourceIdType=11>



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If you do not have web access and want to review the project file contact the DEQ project manager.

**The next step:** DEQ will consider all public comments received by the date and time stated above before making a final decision regarding the completion certification of the remedial actions taken at the site. A public notice of DEQ's final decision will be issued.

**Accessibility information:** Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).

