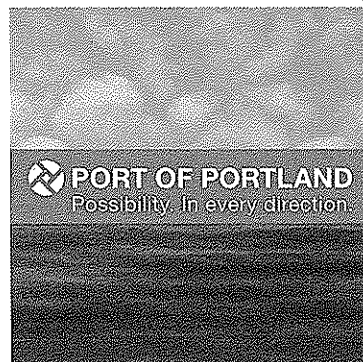

APPENDIX T

REGULATED NAVIGATION AREA REQUEST MEMORANDUM



March 31, 2009

Rear Admiral John P. Currier
13th Coast Guard District Commander
915 Second Avenue
Suite 3590
Seattle, WA 98174

**Subject: Port of Portland Terminal 4
Request for Establishment of Regulated Navigation Areas**

Dear Rear Admiral Currier:

This memorandum is to request the establishment of regulated navigation areas (RNAs) in Terminal 4 (T4) of the Port of Portland (Port), Willamette River, Portland, Oregon. This request is pursuant to the Code of Federal Regulations (CFR) Title 33, Part 165. The proposed RNAs are to be used to preserve the integrity of sediment caps placed within Slip 3 and Wheeler Bay as part of a Removal Action within the Portland Harbor Superfund Site. This memorandum requests to prohibit activities that would remove or displace the cap material overlying contaminated sediments or shoreline soils, unless the intent is to completely remove the underlying contaminated materials or otherwise manage the contaminated materials consistent with environmental regulations. The caps placed at T4 were designed to be compatible with activities common to a working Port terminal. The remainder of this memorandum provides background for this request, the purpose of this request, and information required for proposing RNAs.

Background and Purpose

T4 is part of the Portland Harbor Superfund Site and is located between River Miles (RMs) 4.1 and 4.5 on the Lower Willamette River. The T4 Phase I Removal Action project was completed in October 2008 and included dredging and capping activities within portions of Slip 3 and Wheeler Bay (Figure 1). The cap placed at the head of Slip 3 consists of base cap material (sand and gravel mixed with organoclay) below armor material (Oregon Department of Transportation Type 100 (E) riprap). The extent of the top of the upland portion of the cap ranges from elevations 14 to 25 feet (National Geodetic Vertical Datum [NGVD] 29-47). The extent of the bottom of the in-water portion of the cap ranges approximately from elevations -16 to -24 feet NGVD.

The cap in Wheeler Bay between elevations 10 and -15 feet NGVD consists of select fill (4-inch minus sandy gravel); below armor material (100-pound rock); below habitat cover (2-inch minus sandy round rock). Habitat logs (natural conifer logs minimum 12-inch diameter by 21 feet long with root wads; anchored) and large woody debris (natural wood materials salvaged from existing beach above elevation 10 feet) were installed between elevation 10 feet and elevation 15 feet. The cap in Wheeler Bay between elevations 15 to 30 feet consists of topsoil (loam-

mulch mix) below mulch (ground fir or hemlock bark). The entire Wheeler Bay cap covers approximately 1.44 acres of shoreline and sediment; the Slip 3 cap covers approximately 0.24 acres of shoreline and sediment (Figure 1).

To comply with Section IX (Access/Institutional Controls) of the Port of Portland Terminal 4 Administrative Order on Consent for Removal Action, the Port must maintain the integrity of these capped areas in perpetuity or until the underlying contaminated sediment is completely removed. Therefore, the Port is requesting that RNAs prohibiting activities that could potentially remove cap material, unless the intent of the activity is to completely remove the underlying contaminated sediment or otherwise manage the contaminated sediment consistent with environmental regulations, be established within the capped areas in Slip 3 and Wheeler Bay.

Required Information

Specific details, as requested in CFR Title 33, Part 165.5, related to this request are provided below:

- (1) Name of the person submitting the request:** Nicole LaFranchise, Port of Portland T4 Removal Action Project Manager.
- (2) The location and boundaries of the RNAs:** Location information (northing and easting; coordinates in Oregon State Plane North Zone [NAD 83, International feet] latitude and longitude) is provided on Figure 1 (attached).
- (3) Date, Time, and Duration that the RNAs should be established:** The RNAs should be established as soon as possible and last in perpetuity, or until the underlying contaminated sediment is completely removed or otherwise managed consistent with environmental regulations.
- (4) Description of the activities planned for the RNAs:** As described above, the proposed RNAs are areas where a cap consisting of a combination of sand, gravel, and riprap was placed during the T4 Phase I Removal Action project. Planned activities in the cap areas are consistent with ongoing Port terminal uses as described below.

Slip 3, including the cap area, is currently used by the Port as berth for "Panamax" size, deep-draft Bulk Carrier ships. These vessels are assisted in and out of their berthing areas by large tractor tugs. In addition to maneuvering within Slip 3, the tugs may also operate in Wheeler Bay while on standby. Occasionally, Wheeler Bay is also used for other service craft.

The cap areas were designed to be compatible with the activities described above that are associated with a working Port terminal. The material used for the cap was chosen to be able to contain underlying sediment without restricting the functionality of the main purpose and use of the Port terminal.

Rear Admiral John P. Currier
March 31, 2009
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(5) Nature of the restrictions desired: The Port requests that the following restrictions be placed on the caps:

- Head of Slip 3: Prohibit activities such as anchoring, dragging, trawling, or other activities that may disrupt the function or affect the integrity of the cap. The Slip 3 cap is able to withstand regular site-specific activities common to the current use of the area (e.g., propwash) without compromising its function.
- Wheeler Bay: Prohibit activities such as anchoring, dragging, trawling, or other activities that may disrupt the function or affect the integrity of the cap. In addition, prohibit vessel transit over cap areas (realistically only applicable during flood stage).

(6) Reason why the restrictions are desired: The RNAs are desired to comply with Section IX (Access/Institutional Controls) of the Port of Portland Terminal 4 Administrative Order on Consent for Removal Action. The Port is required by the US Environmental Protection Agency to maintain the structural integrity of the cap areas in perpetuity or until the underlying contaminated sediment is completely removed or otherwise managed consistent with environmental regulations.

Please provide documentation that this memorandum has been received and a status update of the rule-making process to establish the RNAs. If you need additional information, please feel free to contact me at (503) 944-7323 or via email at Nicole.LaFranchise@portofportland.com.

Sincerely,

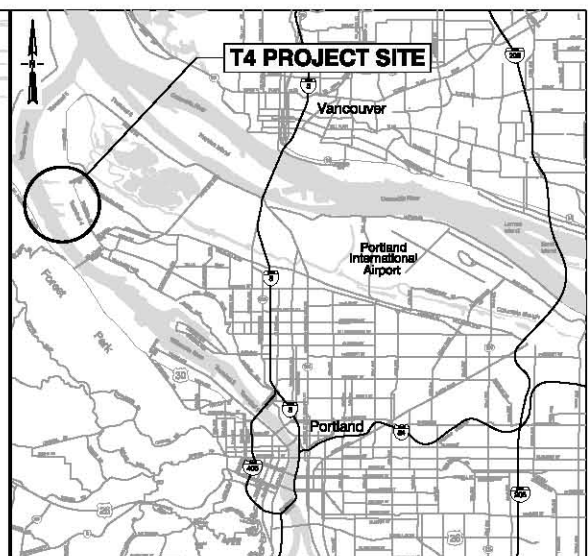
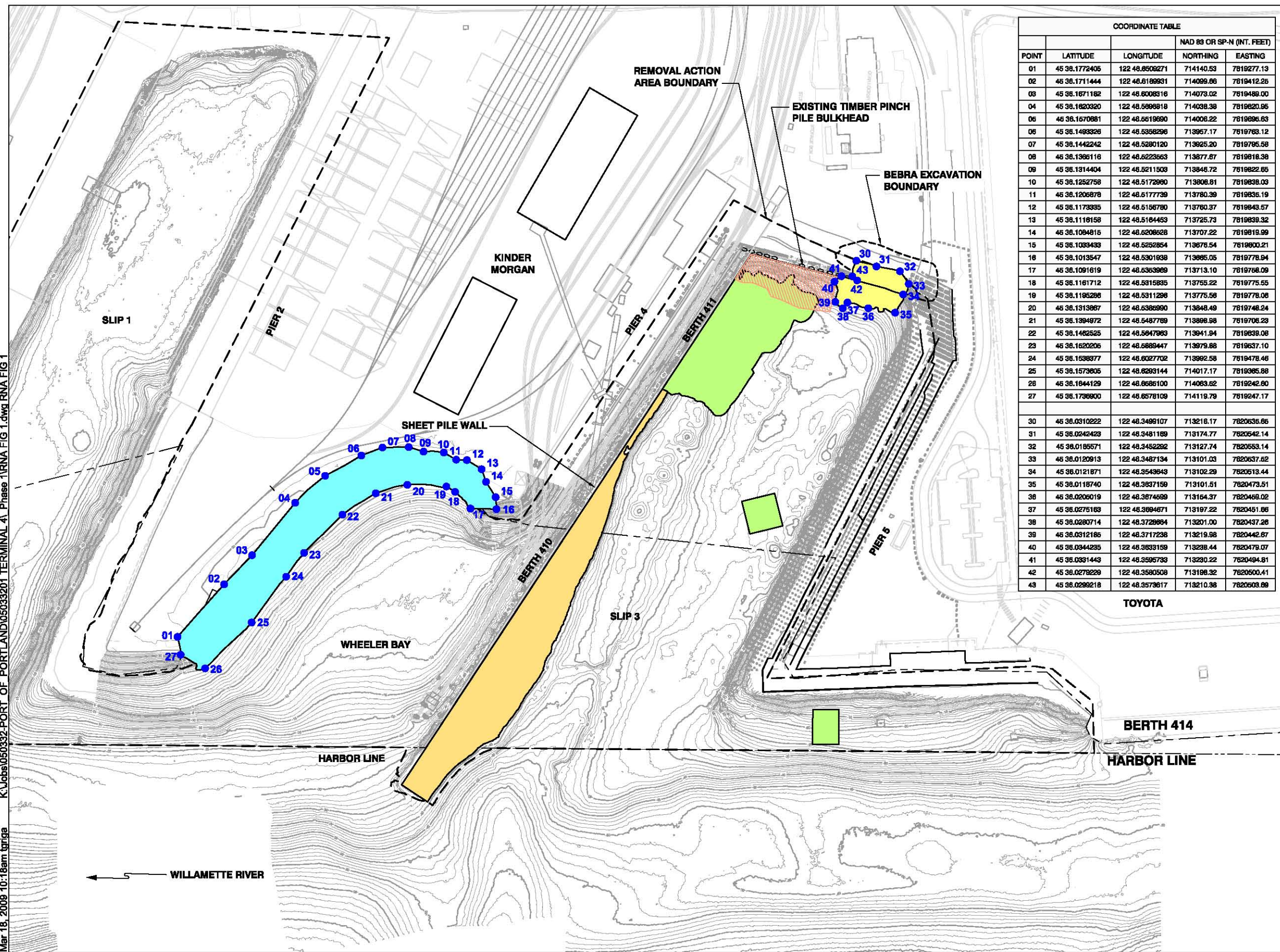


Nicole LaFranchise
Environmental Project Manager

Enclosure: Figure 1 – Summary of Regulated Navigation Area Request

c: Sean Sheldrake, EPA
Ken Fellows, Parametrix
Suzanne Barthelmess, Port
Sebastian Degens, Port
Krista Koehl, Port
Jeff Krug, Port
Elizabeth Appy, Anchor QEA
Ben Hung, Anchor QEA
Tom Schadt, Anchor QEA
John Verduin, Anchor QEA
LWP File

Mar 18, 2009 10:18am tgriga K:\cbs\050332-PORT OF PORTLAND\05033201 TERMINAL 4\ Phase I\RNA FIG 1.dwg RNA FIG 1



T4 PROJECT SITE

VICINITY MAP
SCALE: N.T.S.

LEGEND:

- STABILIZATION AREA (WHEELER BAY)
- THICK CAP AREA (SLIP 3)
- BERTH 411 "PLUS" DREDGING
- SAND LAYER
- BERTH 410 DREDGING
- REMOVAL ACTION AREA BOUNDARY
- DSL PROPERTY LINE
- COORDINATE LOCATION AND ID (SEE COORDINATE TABLE)

NOTES:

- SURVEY HORIZONTAL DATUM: PORT OF PORTLAND LOCAL PROJECTION (INTERNATIONAL FEET)
VERTICAL DATUM: NGVD 29-47
CONTOUR INTERVAL = 1 FT
- BATHYMETRIC SURVEY BY PORT OF PORTLAND DATED MAY, 2007

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