



Oregon

Kate Brown, Governor

Department of Environmental Quality
Northwest Region
700 NE Multnomah Blvd.
Portland, OR 97232
(503) 229-5696

January 3, 2023

Brian Harris
Harris Enterprises, Inc.
4800 SW Meadows Rd., Suite 300
Lake Oswego, OR 97035

Larry Vandermay
Flying Dutchman
PO Box 165
Olga, WA 98279

RE: No Further Action Determination
for Harris/Flying Dutchman, Astoria
Astoria Area Wide (AAW), Area of Concern 1
DEQ Unilateral Order No. ECSR-NWR-01-11
ECSI# 2277

Dear Brian Harris and Larry Vandermay:

The Oregon Department of Environmental Quality (DEQ) has completed review of the available information for the Astoria Area Wide, Area of Concern 1, Harris/Flying Dutchman site in Astoria, including the closure report titled *Remedial Investigation Summary and Conditional No Further Action Request, Area of Concern 1* prepared by Cascadia Associates, LLC and BB&A Environmental, Inc. and dated March 15, 2021. The Harris/Flying Dutchman Site address is 460 West Marine Drive, Astoria, Oregon 97103, and comprised of Tax Lot 3100 in Clatsop County, Township 8 North, Range 9 West, Section 7 Willamette Base and Meridian.

DEQ has determined that remedial action to address environmental contamination at the former Harris/Flying Dutchman Site is complete, and no further action is required. This determination is based on the DEQ regulations and the facts as we now understand them including the following, and as more fully described in DEQ's April 14, 2022, *Staff Memorandum in Support of a Conditional NFA for the Former Cardlock and Unconditional NFA for the Former Harris/Flying Dutchman Service Station Site*:

- A Harris/Flying Dutchman service station operated at the Site until 1991. The station was built on approximately 15 feet (ft) of fill material raising its elevation to that of West Marine Drive and above adjacent properties to the north, northeast, and northwest. The property is currently zoned C-3, General Commercial Zone, and occupied by a drive-through T&M Fast Lube facility and an asphalt-paved parking lot, covering most of its extent.
- In December 1990 a gasoline release (LUST# 04-90-0392) occurred at the service station near the northern property boundary shared with the Cardlock and Century Link properties. In 1993 following several phases of investigation approximately 10,000 cubic yards of petroleum hydrocarbon contaminated soil was excavated to the groundwater table at 20 feet below the ground surface.
- Gasoline impacts were detected in a former east-west sewer line located between the former Harris/Flying Dutchman and Cardlock properties and subsequently in surrounding soil at both

facilities and on the groundwater table. Fuel recovery wells were installed beginning in 1991 and operated until 1994. An estimated 100,000 gallons of petroleum-contaminated (shallow) groundwater was pumped and processed through an onsite treatment system. Free product was removed to the extent possible. DEQ LUST section transferred the project to the DEQ Cleanup section in 2001 and issued an administrative closure in 2008.

- In 2001 VanWest/Harris (i.e., Harris/Flying Dutchman) was named a respondent with other responsible parties identified in the *Order (DEQ No. ECSR-NWR-01-11) Requiring a Remedial Investigation, Feasibility Study, and Interim Removal Action Measures* at the Astoria Area-Wide Site effective December 14, 2001, including the Port of Astoria, McCall Oil and Chemical Corporation, Niemi Oil, Qwest, Chevron-Texaco, Delphia Oil Company, and Qwest. Harris/Flying Dutchman is a performing party at Area of Concern 1.
- An Astoria Area-Wide Remedial Investigation Report was completed in 2008, which identified offsite impacts in soil and groundwater due, at least in part, to the 1990 gasoline release. It was suspected that migration was occurring via preferential utility pathways. No residual site impacts were identified onsite other than diesel and diesel/oil impact in soil at 15 ft bgs near the former fuel island. At this depth, direct contact with impacted soil by Site workers, utility or excavation workers is not expected to occur.
- The remedial actions taken have restored the site protective conditions for current uses (commercial) and no additional controls (engineering or institutional) are necessary under current site conditions. The City of Astoria supplies municipal water to the Site and therefore future groundwater use is not expected. Future residential land use is not expected due to the Clatsop County C-3 zoning. DEQ completed a 30-day public comment period from November 1st through 30th, 2022 for work completed under the Order. No comments were received.

Soil and groundwater conditions at the Harris/Flying Dutchman Site are currently protective of public health and the environment in accordance with Oregon environmental cleanup law, ORS 465.200 et seq. The Site requires no further action unless new or previously undisclosed information becomes available, or there are changes in site development or land and water uses, or more contamination is discovered. DEQ will update the Environmental Cleanup Site Information System (ECSI) database to reflect this decision.

This letter only applies to the release discussed above. If any contaminated media is encountered in the future, it must be handled and disposed of in accordance with local, state, and federal regulations. Monitoring wells should be maintained or decommissioned in accordance with Oregon Water Resources Department regulations.

A copy of the Cascadia/BB&A closure report [PdfHandler.ashx \(state.or.us\)](#) and DEQ's Staff Memo supporting this No Further Action decision can be viewed at <https://tinyurl.com/28ahxuw7>. DEQ



.gov.

Sincerely,

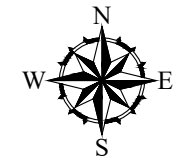
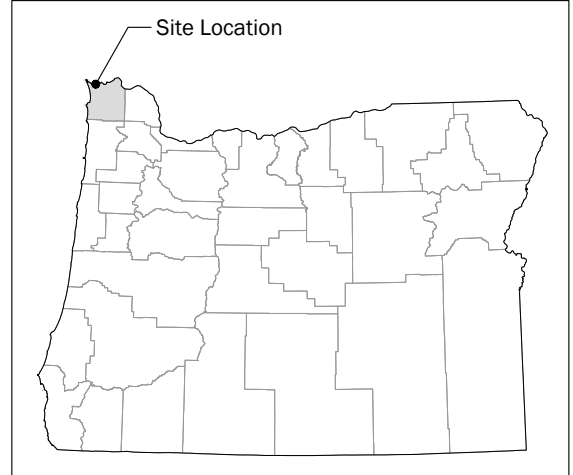
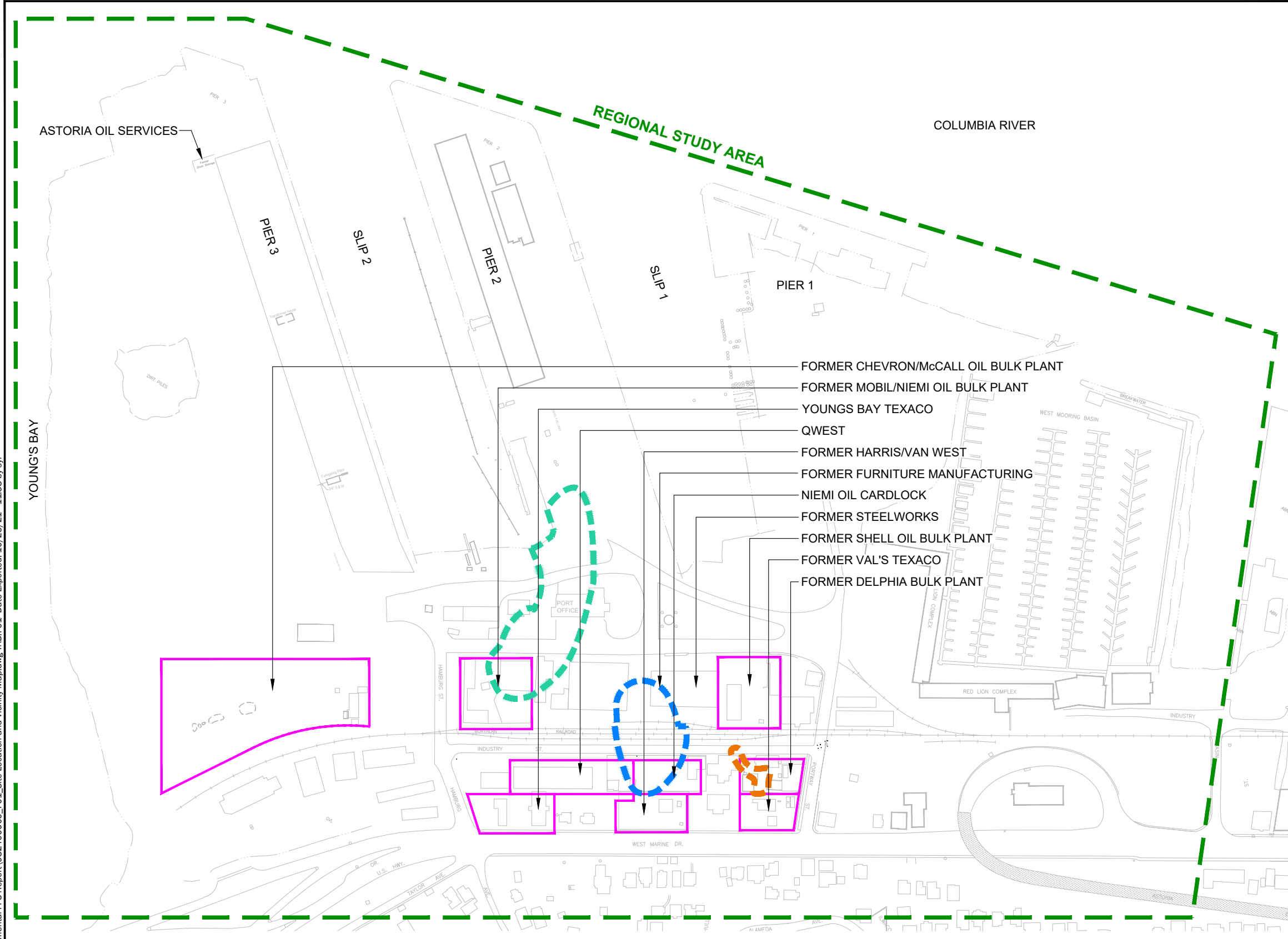
A handwritten signature in blue ink that reads "Paul Seidel". The signature is written in a cursive, flowing style.

Paul Seidel, Manager
Northwest Cleanup Section

Attachment: Site Location and Vicinity Map




cc: Anna Coates, DEQ
Mark Pugh, DEQ
Erin McDonnell, DEQ
Dan Hafley, DEQ
Kurt Harrington, GeoEngineers
Randall J. Boese, BB&A
Loren Gramson, Toussaint Investment, LLC
Water Resources Department Well Construction Program Coordinator
ECSI #2277 File

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State Outline
Not To Scale

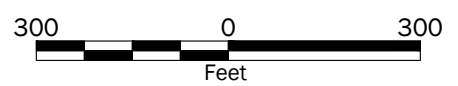
LEGEND

-  ESTIMATED LATERAL EXTENT OF COI-IMPACTED GROUNDWATER (ABOVE RBCs) IN AOC1
-  ESTIMATED LATERAL EXTENT OF COI-IMPACTED GROUNDWATER (ABOVE RBCs) IN AOC2
-  ESTIMATED LATERAL EXTENT OF COI-IMPACTED GROUNDWATER (ABOVE RBCs) IN AOC4

Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Background from Cascadia Associates, LLC dated December 2020.
Vertical Datum: NAVD 88.
Projection: NAD83 Oregon State Planes (Polyconic), North Zone, Intrn'l Foot.



Site Location and Vicinity Map	
Ed Niemi Oil Company Harris Enterprises/Flying Dutchman Astoria, Oregon	
	Figure 1