



# PUBLIC NOTICE

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## DEQ Requests Comments on Proposed Consent Judgment for Former St. Helens Fiberboard Plant near Scappoose Bay

### HOW TO PROVIDE PUBLIC COMMENT

**Property:** Former St. Helens Fiberboard Plant

**Project location:** 1645 Railroad Ave., St. Helens

**Comments due by:** Friday, March 8 at 5 p.m.

#### Submit written comments:

**By mail:** Sarah Greenfield, Oregon DEQ, 700 NE Multnomah St., Suite 600, Portland, Oregon 97232

**By email:** [sarah.greenfield@deq.oregon.gov](mailto:sarah.greenfield@deq.oregon.gov)

**Proposal highlights:** The Oregon Department of Environmental Quality is proposing to enter into a prospective purchaser agreement in the form of a consent judgment with RestorCap LLC for the former St. Helens Fiberboard Plant in St. Helens. RestorCap intends to purchase the site for use as a data center(s), renewable battery storage, and will explore restoration and mitigation opportunities in consultation with DEQ.

**Background:** The property consists of approximately 38 acres of upland industrial property and over 100 acres of wetland and in-water areas adjacent to Scappoose Bay. The upland developed portion of the site was used to manufacture a variety of fiberboard products from 1929 until the facility closed in May 2018. Separate investigations conducted for the upland and surrounding lowland/in-water areas identified contamination from historical releases of hazardous substances from former plant operations. The primary contaminants of concern at the site are metals, chlorinated dibenzodioxins (dioxins), chlorinated dibenzofurans (furans) and polycyclic aromatic hydrocarbons (PAHs). The current property owner, Armstrong World Industries, Inc., completed cleanup of the upland in September 2019. DEQ is conducting the cleanup of the lowland/in-water area and expects it to take many years to complete.

Under the proposed consent judgment, RestorCap would agree to:

- Comply with the existing easement and site management requirements for the upland including maintenance of the upland cap;
- Record and comply with a DEQ-approved easement to allow DEQ to implement and maintain the future cleanup work in the lowland/in-water area;
- Conduct stormwater monitoring according to the requirements of an applicable stormwater permit or pursuant to a DEQ-approved stormwater management plan;

#### Translation or other formats

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- Provide DEQ with dedicated and secure onsite storage and staging areas for necessary equipment or materials during planning and implementation of the lowland/in-water remedial action.

The proposed consent judgment will provide RestorCap LLC with a 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 proposed consent judgment will also provide RestorCap LLC with third party liability protection.

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.

**For more information:** Visit DEQ's Environmental Cleanup Site Information database at <http://bit.ly/ECSI91>.

If you do not have web access and want to review the project file, contact Sarah Greenfield, DEQ project manager, at 503-229-5245 or [Sarah.Greenfield@deq.oregon.gov](mailto:Sarah.Greenfield@deq.oregon.gov) to view the documents in person at a DEQ office.

Environmental Cleanup Site Information (ECSI) ID: 91

**The next step:** Once the comment period closes, DEQ will consider any comments. If DEQ determines to enter the consent judgment, it will be executed by the parties and then filed with the Columbia County Circuit Court. The court must approve the consent judgment for it to take effect.

#### **Non-discrimination statement**

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).