



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

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August 1, 2023

RE: **Opportunity to Comment**
Proposed No Further Action Determination
COMMENTS DUE: September 1, 2023
Leathers Oil Co. #50, LUST No. 03-94-0068

To Whom It May Concern:

The Oregon Department of Environmental Quality (DEQ) is soliciting comment concerning the investigation and cleanup of a historic release of hazardous substances from underground storage tanks (USTs) at the Leathers Oil Company #50 located at 39021 Proctor Boulevard in Sandy, Clackamas County, Oregon (site) (Figure 1). Based on review of site information, DEQ has determined that site conditions are protective of public health, safety and welfare, and the environment under Oregon Administrative Rules (OAR) 340-122-0205 through 0360 and Oregon Revised Statutes (ORS) 465.200 et seq. under likely future use scenarios. This determination is supported by reports in the Administrative File and the DEQ Staff Memo dated July 28, 2023. DEQ issues a No Further Action (NFA) determination when a cleanup has met regulatory standards under Oregon's Cleanup law. The proposed NFA determination would apply only to the release discussed below.

Summary of Environmental Investigations at Site

A detailed chronology of investigation and cleanup work performed at the site between 1998 and 2023 is provided in DEQ's *Staff Memorandum* dated July 28, 2023.

In summary, site investigations revealed that site media were impacted by gasoline-range hydrocarbons (gasoline) and volatile organic compounds (VOCs) as a result of historic releases from the former USTs at the site. Specifically, gasoline contamination was documented in soil, groundwater, and soil gas on-site and at the Clackamas County Bank parking lot located north of the site. The detected concentrations of gasoline and VOCs exceeded DEQ's residential and/or construction/excavation worker risk-based concentrations (RBCs) for multiple exposure pathways:

- Soil ingestion, dermal contact, and inhalation
- Vapors from contaminated soil and groundwater intruding into buildings
- Contact with contaminants in groundwater by construction/excavation workers

Risks from specific exposure pathways are further discussed in the following sections.

Human Health Risks from Ingestion, Dermal Contact, and Inhalation of Contaminants in Soil

Soil contamination at the site exceeding the RBC for the soil ingestion, dermal contact, and inhalation exposure pathway for residential scenarios is present at depths of at least 6 feet below ground surface (bgs). DEQ does not consider area residents, employees, or customers likely to contact, inhale, or ingest contaminants in soil at depths greater than 3 feet bgs. Soil contamination does not exceed the RBCs for soil ingestion, dermal contact, and inhalation exposure pathways for occupational or construction

workers. Additionally, the majority of the area is paved, which further reduces the potential for exposure to contaminated soil. As a result, soil contamination at the site and on the north adjacent property does not pose unacceptable human health risks to people working at or near the site.

Human Health Risks from Groundwater in Excavation

Groundwater contamination that exceeded the construction and excavation worker RBC was limited to benzene in one grab groundwater sample collected in 2004 and gasoline-range hydrocarbons in a 2012 groundwater sample. More recent data from the same location or nearby (approximately 5 feet) locations indicate groundwater concentrations have attenuated to concentrations less than the construction and excavation worker RBC for groundwater in excavations. As a result, groundwater contamination at the site and on the north adjacent property does not pose unacceptable human health risks to construction or excavation workers.

Human Health Risks from Vapor Intrusion into Buildings

Soil gas contamination that exceeded the residential RBC for the inhalation pathway was limited to gasoline-range hydrocarbons in one soil gas sample collected in 2014. During 2021 and 2022 sampling events at the same location, gasoline-range hydrocarbon concentrations were either non-detect or were detected below the applicable RBC. Based on data collected from the recent soil vapor investigations, there is no elevated risk to human health and safety with respect to the vapor intrusion into the building or volatilization to the area exposure pathway.

Ecological Risks to Surface Water

The site is largely paved and, therefore, devoid of ecological habitat. The nearest surface water body is a tributary of the Sandy River located approximately 950 feet northwest of the site. Groundwater monitoring data indicate the groundwater plume is below the applicable RBCs, but remaining contamination extends off-site onto the north adjacent property and into Pleasant Street. Based on the known extent of the remaining groundwater contamination, flow direction, and the distance to the nearby tributary, ecological receptors in the area are unlikely to be impacted.

DEQ will consider any comments that you may have before finalizing the closure decision and issuing a No Further Action determination for historical releases from the former UST at the Leathers Oil Co. #50 site. Directions on how to comment on DEQ's proposal and where to find additional information are provided below.

How to Comment

Please submit comments by 5 p.m. on **September 1, 2023**, to DEQ Project Manager Rebecca Digiustino by email at rebecca.digiustino@deq.oregon.gov, fax (503-229-6945) or mail (see address in above letterhead).

Where to Find Additional Information

Information supporting DEQ's proposed no further action determination is contained in file documents and the DEQ Staff Memo dated July 28, 2023. These documents may also be viewed on DEQ's web site at: [Oregon DEQ: Land Quality - Tanks - LUST - Search Leaking Underground Storage Tank Cleanup Site Database \(state.or.us\)](https://www.deq.state.or.us/landquality/tanks-lust/search-leaking-underground-storage-tank-cleanup-site-database). Enter 03-94-0068 in the LUST Number field and click "Lookup" at the bottom of the page. Next, click the link labeled 03-94-0068 in the Log Number column. Scroll down to the bottom of the page to view the DEQ Staff Memo.

The complete project file is available for review by appointment. Information about requesting a review of DEQ project files is at [Support Home Page \(govqa.us\)](https://www.govqa.us/support-home-page). To schedule a file review, please submit an online [Service Request Login Page \(govqa.us\)](https://www.govqa.us/service-request-login-page).

You may contact me at 503-926-2257 or rebecca.digiustino@deq.oregon.gov if you have questions about the project or how to comment.

Sincerely,

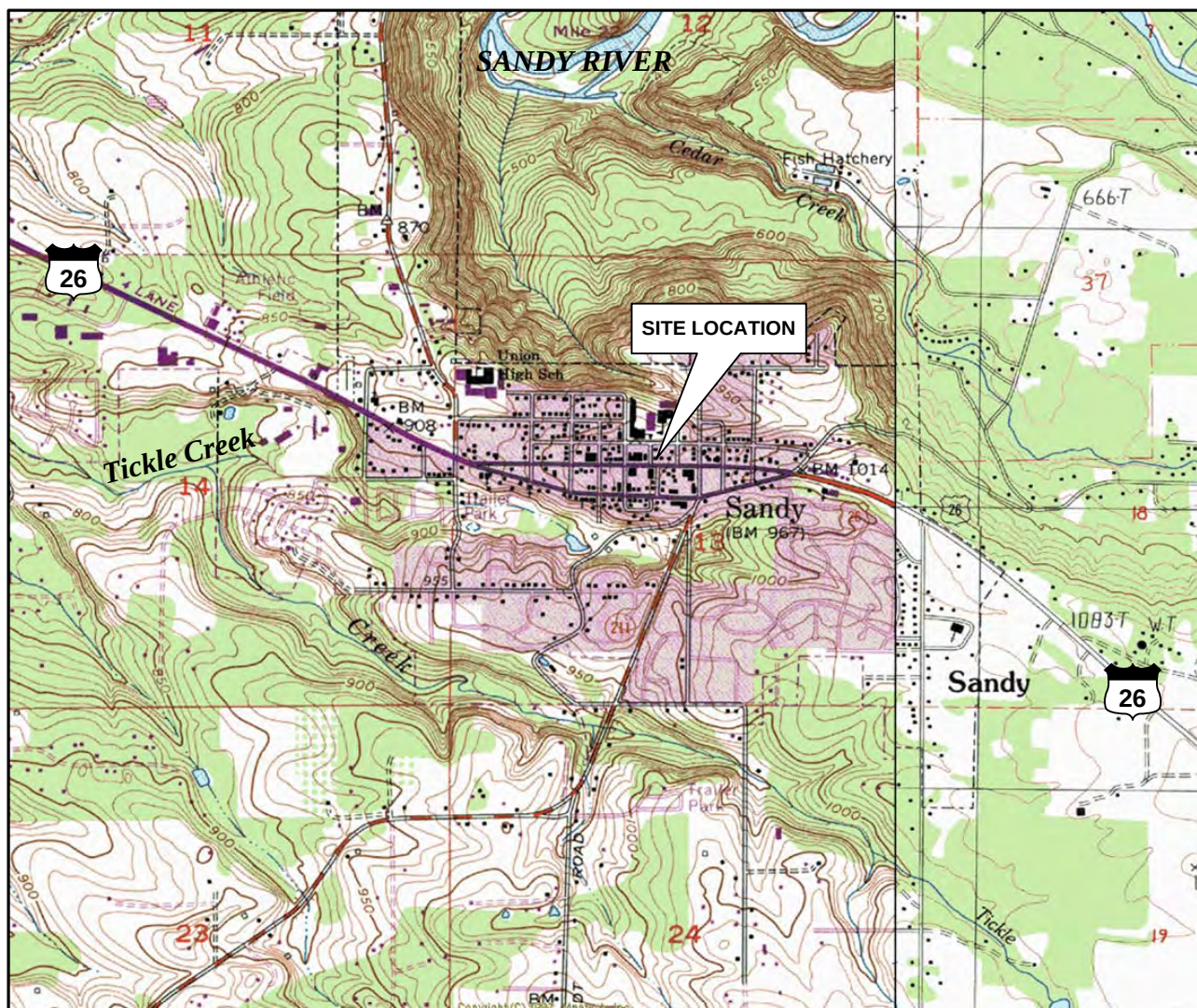
A handwritten signature in black ink, appearing to read 'RD' followed by a stylized flourish.

Rebecca Digiustino
Project Manager
Northwest Region Cleanup Program

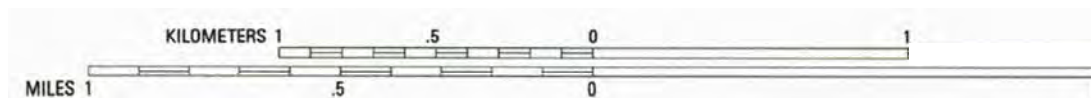
Attachments:

Figure 1. Site Location Map

T. 2 S.



R. 4 E. R. 5 E.



Adapted from: Sandy, Oregon, 7.5 Minute Series
Contour Interval 10 feet
USGS Topographic Map, 1961, Edited 1985
National Geodetic Vertical Datum of 1929

Scale 1 : 24,000



FIGURE 1

SITE LOCATION MAP

Leathers Service Station #50
39021 Proctor Boulevard, Sandy, Oregon
DEQ File No. 03-94-068

