

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

In the Matter of:

**Columbia Lutheran Charities dba
Columbia Memorial Hospital**

**Order on Consent – PPA
DEQ No. 13-03**

CERTIFICATION OF COMPLETION

1. Findings

A. On June 11, 2013, the Oregon Department of Environmental Quality (DEQ) entered into an Order on Consent (Consent Order) under ORS 465.327 with Columbia Lutheran Charities concerning the property at 2615 Marine Drive in Astoria, Oregon (the Site). The Site is also known as the former Bob's Texaco, Leaking Underground Storage Tank (LUST) No. 04-91-0170.

B. Under the terms of the Consent Order, Columbia Lutheran Charities agreed to complete the following work items:

1. Demolish existing structures at the Property and develop for surface parking use with an asphalt or concrete cap
2. Prepare a contaminated media management plan (CMMP) for DEQ review and approval
3. Provide funds in amount of \$4,000 to support a limited soil gas investigation of residential properties south of the Property to evaluate potential risks to occupants from vapor intrusion. The properties of interest include 2611 Marine Drive, 2659 Marine Drive and 2671 Marine Drive.

4. Permanently decommission monitoring wells MW-1 through MW-8 located at the Property and in the Marine Drive right-of-way and a partially cased borehole in the sidewalk north of the Property, in accordance with Oregon Water Resource Department regulations
5. Provide funds in amount of \$16,000 to partially offset cost recovery expenses incurred between April 25, 1991, and February 22, 2013
6. Execute and record an Easement and Equitable Servitudes (E&ES) prohibiting construction of buildings for human occupation and requiring the installation and continued maintenance of the asphalt or concrete cap associated with the parking lot

C. In August 2013, Columbia Lutheran Charities executed the Easement and Equitable Servitudes specifying the necessary property use restrictions. In December 2013, DEQ completed a limited soil gas investigation near residential properties south of the site, which did not find unacceptable vapor intrusion risk. Demolition of the former service station building, regrading of the property, and decommissioning of monitoring wells and the partially cased borehole occurred between August and October 2016. Construction of the parking lot was completed in 2017. In June 2023, Maul Foster Alongi, Inc. prepared a CMMP based on information obtained from supplemental January and May 2023 investigations performed in the Marine Drive right-of-way. The work is documented in the plans and reports in the Administrative Record included as Attachment A to this Certification of Completion.

D. On February 1, 2024, DEQ provided public notice and opportunity to comment on a proposed Certification of Completion determination for the facility in accordance with ORS 465.320 and

465.325(10)(b). Copies of the work plans and reports completed for the project were available to review at DEQ's Northwest Region office in Portland. The public notice was published on February 1, 2024, in the *Oregon Secretary of State's Bulletin*, and in the Daily Astorian newspaper. The comment period was closed on March 1, 2024. [No comments were received. –OR– Comments included the following: (describe/list). None of the comments were in opposition to DEQ's proposed certification decision. DEQ provided responses to comments to each party.]

E. Based on the reports and other information submitted by Columbia Lutheran Charities and DEQ's inspection and oversight of activities, DEQ finds that Columbia Lutheran Charities has satisfactorily completed the PPA scope of work.

2. Conclusions

A. Columbia Lutheran Charities has satisfactorily completed the scope of work including demolition of structures associated with the former Bob's Texaco service station, construction of a parking lot incorporating an asphalt or concrete surface, and execution and recording of an Easement and Equitable Servitudes for the Site as required under the Consent Order.

B. No further remedial actions are required at the site to protect the public health, safety, and welfare or the environment, conditional upon adherence to use restrictions in an Easement and Equitable Servitudes described under Subsection 3.B. of this Certification.

3. Conditions

A. This Certification of Completion applies only to the satisfactory completion of the work conducted by Columbia Lutheran Charities pursuant to the Consent Order.

B. Conditions include a prohibition on the construction of buildings for human occupation and a requirement to construct and maintain an engineered concrete or asphalt surface at the property

as memorialized in an Easement and Equitable Servitudes recorded with Clatsop County on August 8, 2013.

C. DEQ's June 7, 2023, conditional determination that no further action is required at the Site may be withdrawn upon discovery that Site controls have not been maintained and/or discovery of new information showing that public health, safety, and welfare or the environment are not being protected.

D. DEQ does not, by this certification, assume liability for any claim arising from acts or omissions of Columbia Lutheran Charities or its officers, employees, agents, successors, subsidiaries, or assigns relating to actions pursuant to the Consent Order.

4. Notice

This order constitutes certification of completion under ORS 465.325(10), and may be appealed by any aggrieved person in accordance with ORS 465.325(10)(c).

ISSUED BY:

State of Oregon

Department of Environmental Quality

By: _____
Mike Kucinski
Land Quality Division Administrator

Date

The foregoing instrument is acknowledged before me this _____ day of _____, 20____, by Mike Kucinski of the Oregon Department of Environmental Quality, on its behalf.

NOTARY PUBLIC FOR OREGON

My commission expires: _____

CERTIFICATE OF SERVICE

I certify that I served a true copy of the above Certification of Completion by depositing it in the United States mail, postage prepaid, and addressed to the following persons:

Erik Thorsen
Chief Executive Officer
Columbia Memorial Hospital
2111 Exchange Street
Astoria, OR 97103

(Name)

(Date)

Appendix A – Administrative Record Index

- 1) *Gasoline Vapor Assessment, Astoria Realty, 27237 Marine Drive, Astoria, Oregon.* Parametrix Inc. July 1991.
- 2) *Draft UST Decommissioning and Subsurface Assessment, Former Bob's Texaco, Astoria, Oregon.* Geocon Northwest, Inc. July 2012.
- 3) *Subsurface Assessment, Former Bob's Texaco, Astoria, Oregon.* Geocon Northwest, Inc. December 2012.
- 4) *Order on Consent,* DEQ, June 11, 2013.
- 5) *FINAL Site Assessment Report, Bob's Texaco, 2615 Marine Drive, Astoria, Oregon.* Kennedy/Jenks Consultants. January 23, 2014.
- 6) *Environmental Activities for Franklin Improvements.* Robert D. Miller Consulting Inc. November 7, 2016.
- 7) *Contaminated Media Management Plan, Former Bob's Texaco Site, DEQ Task Order 73-18-20.* Maul Foster & Alongi on Behalf of Oregon Department of Environmental Quality. June 24, 2022.
- 8) *Site Investigation Report, Former Bob's Texaco Site, DEQ Task Order 73-18-20.* Maul Foster & Alongi. June 24, 2022.