



PUBLIC NOTICE

Date posted: 9/01/23

DEQ Requests Comments on Proposed Certification of Completion and Conditional No Further Action Determination for Property in North Portland

HOW TO PROVIDE PUBLIC COMMENT

Facility/property: Oregon Humane Society

Project location: 7865 NE 14th Place, Portland

Comments due by: Monday Oct. 2, 2023 at 5 p.m.

Submit written comments:

By mail: Send comments to Mark Pugh, Oregon DEQ, 710 NE Multnomah St., Suite 600, Portland, OR 97232

By email: Mark.Pugh@deq.oregon.gov

Proposal highlights: The Oregon Department of Environmental Quality (DEQ) is preparing to certify that all actions required under a Consent Judgment with DEQ have been satisfactorily completed. As a result, DEQ is proposing to issue a Certification of Completion and a Conditional No Further Action determination. This project has resulted in both environmental and economic benefits. The Oregon Humane Society has developed the property into a veterinary care center.

Background: The 4.01-acre property formerly contained three buildings constructed in the 1960s. Equipment and vehicle maintenance was conducted at the property until 2018. The most recent operations included tire storage, repair and replacement, automotive repair and office space. Areas of environmental concern at the site included decommissioned 10,000-gallon diesel and 6,000-gallon gasoline underground storage tanks, former maintenance areas, and the former site stormwater management system which included dry wells and an oil/water separator. During redevelopment, approximately 5,820 tons of impacted soil generated during site grading and utility excavations were disposed off-site in a permitted landfill.

Non-friable asbestos was encountered during excavation and could not be completely removed. The contaminated media management plan was updated with information on the location of the asbestos-containing materials. The asphalt and other hardscape serve as a cap to residual contamination and will be maintained as an engineering control per a DEQ-approved soil cap monitoring and maintenance plan. Future requirements for inspection and maintenance of the cap, and implementation of the CMMP during any intrusive activities, are memorialized in an Easement and Equitable Servitudes recorded on the property deed.

During site development, two buildings were demolished and the third was refurbished and used as a storage warehouse. Two new buildings were constructed for use as an animal hospital and behavior rehabilitation center. For ecological receptors, the upland area is not considered viable ecological habitat. However, stormwater from the site may be transported to the Columbia Slough (ECIS# 1283). Oregon Humane Society also constructed a stormwater management system comprised of seven interconnected flow-through planters, a commercial filtration system, two French drains and a single

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catch basin. Stormwater discharges were tested and demonstrated that sources to stormwater are controlled and represent a low risk to Columbia Slough sediments.

DEQ reviewed the requirements of the Prospective Purchaser Agreement Consent Judgment and the corresponding actions and has made a preliminary determination that all obligations of the agreement have been satisfactorily performed, and that a Certification of Completion should be issued. DEQ further concludes that because all environmental concerns have been addressed, issuance of a Conditional No Further Action determination is warranted.

DEQ created the Prospective Purchaser Agreement program in 1995 through amendments to the state's Environmental Cleanup Law. The agreement is a tool that expedites the cleanup of contaminated property and encourages property transactions that otherwise would not likely occur because of the liabilities associated with purchasing a contaminated site.

The Certification of Completion confirms Oregon Humane Society's release from liability for potential 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 Consent Judgment and Certification of Completion also provides Oregon Humane Society with third party liability protection.

For more information: Visit DEQ's Environmental Cleanup Site Information database at: <https://ordeq.org/ecsi>.

Environmental Cleanup Site Information (ECSI) ID: 4017

If you do not have web access and want to review the project file, contact Mark Pugh at 503 229-5587 or Mark.Pugh@deq.oregon.gov to view the documents in person at a DEQ office.

The next step: DEQ will consider all public comments received during the public comment period prior to issuing the Certification of Completion and conditional No Further Action.

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](#).