



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5696

FAX (503) 229-6124

TTY 711

July 5, 2023

Lynn Green
EVREN Northwest
PO Box 14488
Portland, OR 97293-0488

RE: Notice of CNFA Determination
for Elk Ridge Estates in St. Helens
ECSI #4857

Lynn Green:

The Department of Environmental Quality (DEQ) has completed its review of the *Remedial Design/Remedial Action (RD/RA) Implementation Report* prepared by EVREN Northwest for St. Helens Assets, LLC (SHA) on April 3, 2023. The report describes the implementation of remedial measures taken to properly cap an abandoned landfill and solid waste disposal cell at the Elk Ridge Estates Development in St. Helens, Oregon.

EVREN Northwest also prepared a *Contaminated Media Management Plan* on February 16, 2023, and a *Soil Cap Management Plan* on April 6, 2023, on behalf of SHA. The two plans outline procedures to be followed by current and future owners of the landfill and disposal cell parcels to properly maintain the soil caps and to safely manage contaminated soils beneath the caps should the caps need to be breached for future maintenance.

With the completion of the remedial action and the preparation of plans for long-term operation and maintenance, DEQ is ready to proceed with a Conditional No Further Action (CNFA) determination for the Elk Ridge Estates project. DEQ will prepare a Staff Closure Memorandum summarizing the history of the landfill and disposal cell and the steps taken to investigate and remediate the landfill and disposal cell. The Staff Closure Memo will conclude with a recommendation for No Further Action, conditioned on adherence to requirements in deed restrictions that will be recorded on the landfill and disposal cell parcels.

DEQ's recommendation for No Further Action on the Elk Ridge Estates project will be subject to a 30-day public notice and comment period. Assuming no adverse comments are received, DEQ expects to issue a CNFA letter to SHA shortly after the close of comment period.

Two actions still need to be taken on the Elk Ridge Estates project. First, deed restrictions (formally known as Easements & Equitable Servitudes) need to be recorded on the landfill and disposal cell parcels. The restrictions will require that the landfill and disposal cell caps be properly maintained and that the procedures in the *Contaminated Media Management Plan* and *Soil Cap Management Plan* be followed.

Second, the landfill and disposal cell caps need to be properly revegetated. DEQ understands that revegetation work will occur in the Fall. Depending on the timing of the public notice and comment period, the CNFA letter may be prepared prior to the completion of the revegetation. If this happens, DEQ may delay releasing the letter until the revegetation has been completed and approved, or may reach a separate, binding agreement with SHA to complete the revegetation.

With the completion of the project work and issuance of the CNFA letter, no further investigation or remediation of residual contamination at Elk Ridge Estates will be necessary, unless new or previously undisclosed information becomes available (such as more contamination being discovered).

If you have any questions about this letter, please contact me by phone at (503) 229-5369 or by e-mail at kevin.dana@deq.oregon.gov. DEQ appreciates your work at Elk Ridge Estates, and looks forward to wrapping up the project.

Sincerely,

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

Kevin Dana, Cleanup Project Manager
Northwest Region Cleanup Program

cc: Mark Zoller, St. Helens Assets
Brooks Foster, Chenoweth
ECSI #4857 File