



Oregon

Tina Kotek, Governor

Department of Environmental Quality
Western Region
165 East 7th Avenue Ste 100
Eugene, OR 97401-3049
(541) 686-7838

July 1, 2024

Dunbar Carpenter
Veritas Properties, LLC
4365 SW Patrick Place
Portland, OR, 97239

RE: **Conditional** No Further Action Determination
for Coker Butte Road site, Medford
ECSI 6494

Dear Dunbar Carpenter:

The Oregon Department of Environmental Quality (DEQ) has completed a review of the available information for the Coker Butte Road development site, including the closure report entitled Final Removal Action Completion Report, dated June 26, 2024, which was submitted to DEQ by Alpine Environmental Consultants, LLC (AEC) on your behalf. The Coker Butte Road Property has no street address. The site is located in Township 37 South, Range 1 West, Section 8 and includes Tax Lots 300, 700, 800, and 12-acres of Tax Lot 900 (site) (Figure 1).

DEQ has determined that remedial action to address environmental contamination at Coker Butte Road site is complete, and no further action is required, with conditions. This determination is a result of our evaluation and judgment based on the DEQ regulations and the facts as we now understand them:

- The site was historically used to grow pears and pesticides were applied. Tax lots 300, 700 and 800 are currently planned for residential development.
- Concentrations of arsenic, dieldrin, and 4,4'-DDE were detected in shallow (<3 ft) soils on Tax Lots 300, 700 and 800 exceeding generic residential soil direct contact risk-based concentrations (RBCs). Arsenic also exceeded the generic risk-based concentration (RBC) for construction workers as well as DEQ's regional background level. Soils on Tax Lot 900 were not tested for pesticides.
- In September 2023 DEQ approved the soil cleanup plan for Tax Lots 300, 700, and 800. Public notice of a public comment period for the cleanup plan was provided in the Medford Mail Tribune on April 1, 2022. One comment was received from the City of Medford. Comments were addressed via email on May 17, 2022.
- Between October 1, 2023, and June 1, 2024, approximately 35,500 cubic yards of contaminated soil from Tax Lots 300, 700 and 800 were excavated and placed into a 12-acre soil repository (Repository) on the southern portion of Tax Lot 900. A utility scale solar facility will likely be constructed on the Repository.
- Tax Lots 300, 700, and 800 are planned for residential development. Pesticide-related contamination has either been removed completely, or concentrations are below acceptable residential cleanup levels on Tax Lots 300, 700, and 800. There are approximately 7.9 acres of wetlands in the southern portion of Tax Lot 800. Impacted soil has been removed from the northern boundary of wetland and investigation found a clean soil area on the southern boundary of the wetland. AEC researched threatened and endangered (T&E) species for the area and found there is no critical habitat for those species on the Property.
- Tax Lot 900 consists of 23.95 acres, 12 of which are being used for the soil repository. The Repository on Tax Lot 900 contains approximately 35,500 cubic yards of arsenic/dieldrin-impacted

soil. A residual risk evaluation determined that the soil in the repository should not present an unacceptable risk to site workers.

- A Soil Repository Management Plan (SRMP) has been approved by DEQ. The SRMP will guide workers on safety measures when encountering potentially contaminated soil and defines DEQ reporting requirements for both the current and future owners of the Repository.
- An Easement & Equitable Servitude (EES) recorded on Tax Lot 900 restricts the following uses on the 12-acre Repository: residential use of any type, agricultural (food-crop) use of any type, commercial businesses with workers on Repository 40 hours/week, and recreational use of any type.

Based on the available information, soil conditions at Coker Butte Road site are currently protective of public health and the environment in accordance with Oregon environmental cleanup law, ORS 465.200 et seq. The site requires no further action unless new or previously undisclosed information becomes available, or there are changes in site development or land and water uses, or more contamination is discovered on those tax lots. DEQ will update the Your DEQ Online (YDO) database to reflect this decision.

This letter only applies to Tax Lots 300, 700, 800, and the 12-acre repository on Tax Lot 900. It does not apply to the northern (11.95 acre) portion of Tax Lot 900. Testing and cleanup would likely be needed on the northern portion of Tax Lot 900 if it were to be developed in the future. If any contaminated media is encountered in the future, it must be handled and disposed of in accordance with local, state, and federal regulations.

A copy of the AEC removal action completion report supporting this No Further Action decision can be viewed at <https://ordeq.org/ECSI-6494>. DEQ recommends keeping a copy of all the documentation associated with this remedial action with the permanent facility records. If you have any questions, please contact Tina Elayer at (503) 688-3334, or via email at tina.elayer@deq.oregon.gov.

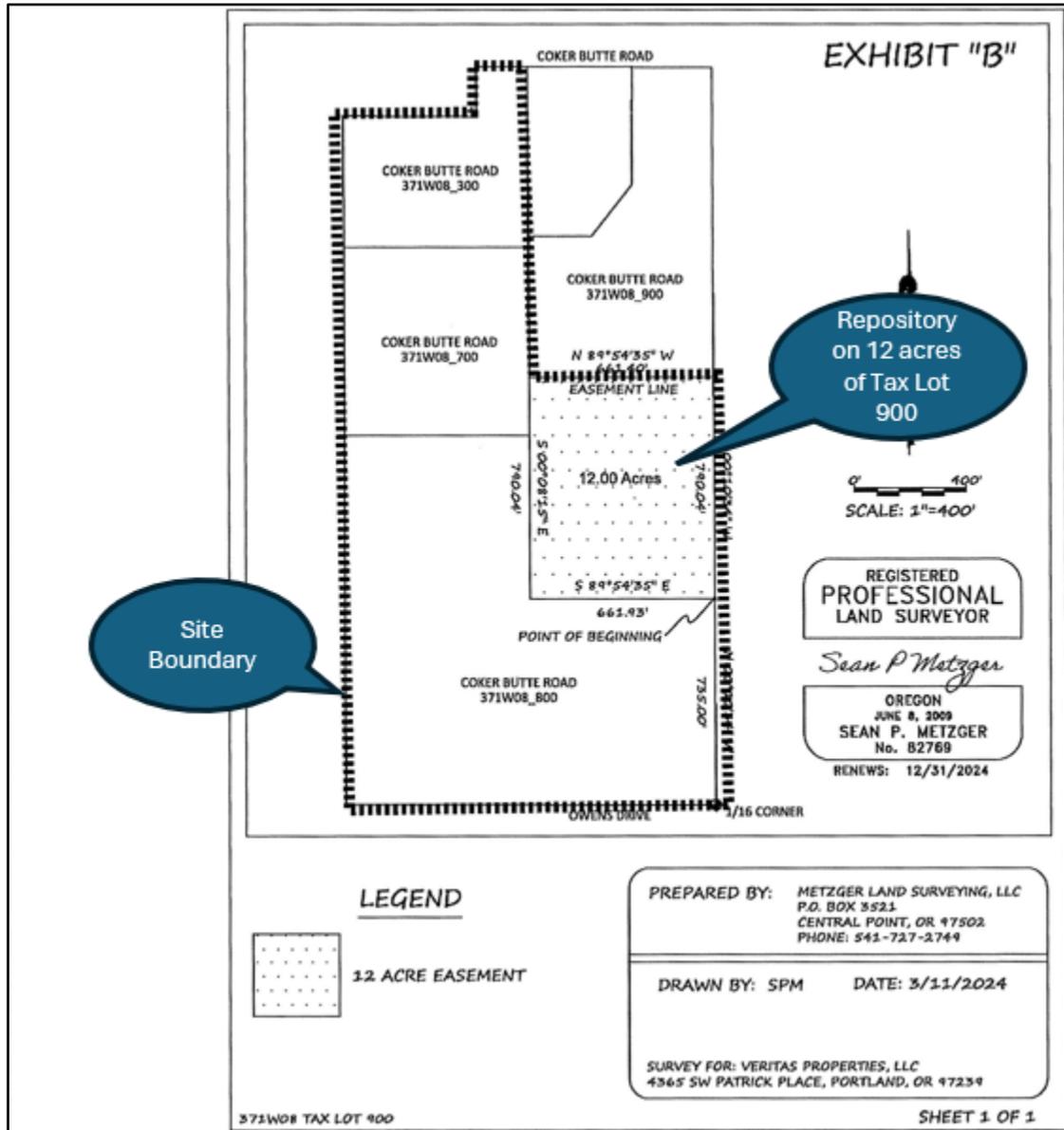
Sincerely,

Brad Shultz

Brad Shultz, Manager
Western Region Cleanup Section

Attachments: Figure 1 – Site Map

cc: ORMS ECSI6494 File
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Don Hanson, Lead Worker, DEQ don.hanson@deq.oregon.gov
Jonathan Williams, Consultant, AEC jwilliams@alpine-env-llc.com



Site Boundary

Repository on 12 acres of Tax Lot 900

Figure 1 – Site Map