



April 17, 2024

Oregon Department of Environmental Quality
Atten: Revenue Section
700 NE Multnomah Street, Suite 600
Portland, Oregon 97232-4100

**SUBJECT: Prospective Purchaser Application – Electronic Submittal,
Williams + Russell Block,
The Vacant City Block Northwest of the Intersection of N Williams Ave & N
Russell St, Portland, Oregon**

To Whom It May Concern,

The PPA Application packet for the Williams + Russell block redevelopment project is enclosed. Coles + Betts Environmental Consulting, LLC (C+BEC) is submitting this application on behalf of the Williams Russell CDC (the CDC). The CDC is a community-elected, non-profit board established to define and drive a community-centered visioning and development process for the Williams + Russell block redevelopment. C+BEC is providing technical assistance to the CDC.

The Williams + Russell block will be divided into three properties, with three separate owners, for development into:

- A four-story office building with retail spaces and plaza on the eastern portion of the block,
- A six-story affordable apartment building on the southwest corner of the block, and
- A condominium development that will provide affordable home ownership on the northern portion of the block.

Each development has its own PPA Application.

The enclosed Cost Recovery Letter Agreement is signed by the CDC so DEQ can begin processing the applications while the ownership agreements are finalized. Each owner will submit a new Cost Recovery Letter soon.

The Williams + Russell block PPA application packet includes the following items:

- A Cost Recovery Letter Agreement signed by the CDC.
- A \$2,500 check (submitted via mail).
- One PPA Application for each development:
 - Office and Retail Building,
 - Affordable Apartments, and
 - Condominiums for Affordable Ownership.

We are submitting these documents electronically, with hardcopies and payment submitted by mail next week, so we can request a pre-app meeting as soon as schedules allow. Please let me know when DEQ might be available to schedule a meeting.

If there are any questions, please contact me at (503) 477-6150. Thank you for your consideration of this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill S. Betts", with a long horizontal flourish extending to the right.

Jill S. Betts, R.G.
Principal

Attached:

- Three PPA Applications (office, affordable apartments, condos for affordable ownership)
- Cost Recovery Letter Agreement
- Site Plan

c:

Azalea Renfield, MPA, MPP, Williams + Russell CDC
Joe Swank, Senior Development Manager, Adre
Lorenzo Danielson, DEQ, Legal Policy Analyst and PPA Coordinator
Sarah R. Liljefelt, Dunn Carney LLP



State of Oregon
**Department of
 Environmental
 Quality**

Oregon Department of Environmental Quality

Application for Prospective Purchaser Agreement

FOR DEQ USE ONLY	
Received: _____	
Amount: _____	
Check #: _____	
Q-Time: _____	
Project #: _____	

As provided in Oregon law (ORS 465.327), DEQ may approve PPAs “to facilitate cleanup and reuse of contaminated property” if all of the following criteria are met:

- 1) The prospective purchaser is not currently liable under any of the three following statutory authorities for an existing release of hazardous substances at the property to be purchased: ORS 465.255; ORS 466.640; or ORS 468B.
- 2) Contamination exists and removal or remedial action is necessary at the property under ORS 465.
- 3) The proposed use of the property will not contribute to or exacerbate existing contamination, increase health risks or interfere with necessary remedial action measures at the facility.
- 4) A substantial public benefit will result from the PPA.

The information in this application will help DEQ evaluate the eligibility of applicants based on these criteria.

Applicant Information			
Applicant: Williams Russell CDC			
Mailing Address: 6607 NE MLK Jr. BLVD			
City: Portland	State: OR	Postal (ZIP) Code: 97211	
Contact Name: Azalea Renfield, MPA, MPP		Title: Executive Director	
Phone Number: 503-482-8352	Email: azalea@williamsrussellcdc.org		

Site Information			
Site Name: Williams + Russell Future Black Business Hub Office Retail			
Site Address: Situs and tax lot number not available at this time. Will be provided after they are issued.			
City: Portland	State: OR	Postal (ZIP) Code: 97227	
Section: 27AC	Township: 1E	Range: 1N	Size (acres): Not available. See site address.
<input type="checkbox"/> Please attach a legal description of the property. See Site Address.		Tax Lot(s): See site address	
ECSI and/or UST Identification Number(s) and Names, if applicable: Not Applicable			
Current use of the property: Vacant Lot			
If property is vacant, how long has it been vacant? Approximately 53 years.			
Current zoning of the property: CM3dm(MU-U) - Commercial Mixed Use.			

Current Site Owner Information
Current Site Owner's Name: Legacy Health System
Current Site Owner's Mailing Address: 1919 NW Lovejoy St

City: Portland	State: OR	Postal (ZIP) Code: 97209-1503
Contact Name: Jay O'Brien, Associate General Counsel	Phone Number: 360-947-4132	Email: jaobrien@lhs.org
Is the current owner aware of your plans to seek a "Prospective Purchaser Agreement" with DEQ? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
To your knowledge, does the current owner have any objections or reservations regarding this proposed prospective purchaser agreement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe:		

Applicant's Proposed Interest in the Property

Are you planning to buy the property described above? Yes No

If no, describe your proposed interest in the property:

Nature and Timing of Pending Property Transaction

Please describe, if known, the nature and timing of the proposed property transaction in sufficient detail to give DEQ a sense of your needs and timetable. (Note: It is DEQ's goal to complete review and negotiation of most agreements within 6 - 8 weeks.):

The property transfer will occur in December 2024. Therefore, the PPA will need to be in place in October 2024 to accommodate the property transfer agreement timeline.

Agreement Type

Which type of Prospective Purchaser Agreement are you planning?

Administrative Agreement Consent Order Consent Judgment Undecided – **To be determined.**

Proposed Land Use

Describe the proposed development or reuse of the property. Attach site maps and supplemental information describing the intended development or reuse if available. (Note: site design maps and supplemental information are required if proposed buildings, parking lots, drainage systems or other developments could impact current or future environmental cleanup activities):

This office development will be a four-story building with offices and retail spaces that will serve as a landmark center for the creation and support of local Black businesses. There will also be a plaza. The attached site plan shows the location of the future office building and plaza on the eastern portion of the Williams & Russell block. Site development plans are being finalized and will be provided to DEQ when available. For additional project details, including a rendering of the development, please visit: <https://www.williamsrussellcdc.org/>.

Local Government Planning Department Contact	
Contact Name: Staci Monroe	Title: Senior Planner
Phone Number: 503-823-7526	Email: Staci.Monroe@portlandoregon.gov
<p>Please summarize any conversations you have had with the local government planning department:</p> <p style="margin-left: 40px;">The project team has engaged in an early assistance meeting with the city of Portland under the following number: 2023-070912-000-00-EA. This process reviewed the proposed project with all City bureaus including environmental services, planning, and zoning. As of the date of this application, the current plans as proposed are deemed feasible on all fronts and the project team will continue to work with the City to make sure that all permitting and land use issues are resolved in the design.</p>	

Summary of Contamination & Investigation Status
<p>Has a Phase I Environmental Site Assessment been conducted at the Property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes please provide information on report title, consultant/consulting firm, date prepared:</p> <p style="margin-left: 40px;"><i>Phase I Environmental Site Assessment Report, Williams & Russell Block, Northwest of the Intersection of N. Williams Avenue & N. Russell Street, Tax Lot 1N1E27AC 4100 and Portion of Tax Lot 1N1E27AC 1800, Portland, Oregon 97227 by C+BEC, dated July 28, 2023.</i></p>
<p>Has sampling or other environmental investigation been conducted at the Property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes please summarize results:</p> <p style="margin-left: 40px;">The Phase II ESA investigation included: (1) a geophysical survey to identify USTs - no such evidence was found, and (2) soil /fill material and soil vapor sampling and laboratory analyses. The laboratory analyses concluded:</p> <ul style="list-style-type: none"> • Soil testing did not encounter significant contamination in the areas of environmental concern. • Fill material was encountered in shallow soils (i.e., upper 3.5 feet) across the entire property, and deeper fill material extend to depths of approximately 8 feet and 12 feet below the property. The fill material consisted of silts with small pieces of brick, glass, and burnt wood fragments. Laboratory testing indicate the majority of the fill material exceeds DEQ Clean Fill Criteria and/or applicable DEQ Risk-Based Criteria (RBCs), which would require disposal at a Subtitle D landfill (e.g., Waste Management’s Hillsboro Landfill) if removed from the site during future redevelopment.

- Contamination was not identified in soil vapor samples.

The Phase II ESA results are included in the Phase I ESA report.

Have cleanups activities been conducted at the Property? Yes No

If yes please summarize activities: Remediation will occur during property redevelopment activities.
Please see the Proposed Cleanup Activities section for details.

Does DEQ have a copy of relevant reports? Yes No – If not, please provide (or attach) the reports

Known or suspected contaminant source(s):

The Phase II ESA identified demolition and associated surface grading materials (i.e., fill) across the property and deeper fill material up to 12 feet deep (likely associated with filling in a former building's basement). Former underground storage tanks and UICs, and unknown fill material may be encountered during construction.

Known or suspected contaminant(s):

The Phase II ESA identified the following contaminants:

1. The majority of soils / fill in the upper 3.5 feet of the property are characterized as non-hazardous, and they contain:

- Metals, oil-range petroleum hydrocarbons, volatile organic compounds (VOCs) (naphthalene only), and/or Semivolatile Organic Compounds (SVOCs) are above DEQ Clean Fill Criteria that require disposal at a regulated landfill.
- Arsenic, lead, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene are above DEQ RBCs for Soil Ingestion, Dermal Contact, and Inhalation for urban residential, occupational, construction worker and/or excavation worker.

2. Fill material extending up to 12 feet below ground surface was also located on the property. This fill material contains lead above DEQ Clean Fill Criteria. The laboratory reporting limits for selenium and naphthalene exceed DEQ Clean Fill Criteria, and it should be assumed that these exceed DEQ Clean Fill Criteria. DEQ RBCs were not exceeded.

Suspected contaminants would be associated with any tanks, UICs, and unknown fill material encountered during construction.

Type of Release

Briefly describe the nature of the hazardous substance release at the property. You may attach sampling results or additional information, or reference prior materials sent to DEQ by title and date. At a minimum, please provide basic information in the space below (e.g., list the known contaminants in soil, groundwater, surface water, sediments, etc.):

Fill material/soils in the upper 3.5 feet of the property contain:

- Metals, oil-range petroleum hydrocarbons, VOCs (naphthalene only), and/or SVOCs are above DEQ Clean Fill Criteria that require disposal at a regulated landfill.

- Arsenic, lead, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene are above DEQ RBCs for Soil Ingestion, Dermal Contact, and Inhalation for urban residential, occupational, construction worker and/or excavation worker.

Fill materials also extend to approximately 12 feet below ground surface and contain:

- Lead above DEQ Clean Fill Criteria.

The laboratory reporting limits for selenium and naphthalene exceed DEQ Clean Fill Criteria, and it should be assumed that these exceed DEQ Clean Fill Criteria.

Soil gas did not detect contaminants of concern.

Groundwater was not encountered.

Please see the Phase I ESA report for details, including sample locations and depths, and data summary tables.

In what year (or years) did the release (or releases) of hazardous substance(s) occur?

Fill material placement occurred after the City of Portland's eminent domain of the property and subsequent demolition of property buildings approximately 53 years ago (early 1970s). Please see the Public Benefit section below for details.

Cleanup Activities Underway or Completed

Please provide a summary of removal or remedial activities which have been undertaken or completed at the property already, if any:

None. Remediation will occur during property redevelopment activities. Please see the Proposed Cleanup Activities section below for details.

Proposed Cleanup Activities

Describe in general terms removal or remedial activities to be performed in the future, of which you are aware:

A CMMP will be prepared prior to redevelopment activities that will address the handling of excavated materials, steps to take when encountering unknown fill materials, dry wells, and tanks; and worker health and safety. The CMMP will be submitted to DEQ as part of the PPA agreement.

Excavate and remove fill materials and any impacted native soils and transport them to a regulated facility for disposal. Complete confirmatory soil sampling, and analyses to characterize the soil left in-place. Prepare a report that documents these activities.

The vapor barrier thickness for the buildings' foundations and radon mitigation systems is currently being evaluated for possible use as a vapor barrier and/or vapor mitigation in the event vapors from adjacent properties (i.e., former service stations and/or dry cleaners) pose a future risk to future building occupants.

Proposed Funding for Cleanup Activities

Funds for the cleanup and/or management of future project cleanup activities will be provided by:

- The applicant
- The current owner
- The applicant and current owner will share responsibility for the cleanup
- DEQ-funded (Determining if eligible for SWOSA funds)
- Other (please specify): Prosper Portland, Additional Funding via the EPA and City of Portland Brownfield Program.

Please describe the cleanup project lead and roles of the various parties in detail sufficient to give a clear understanding of who will be performing or paying for cleanup activities:

Subject to ongoing discussions with Legacy, Prosper Portland and the Williams Russell CDC.

Prospective Purchaser Liability

Indicate why the applicant is not presently liable under ORS 465.255 for an existing release of hazardous substance at the property. You may attach additional information if necessary. For purposes of these questions, "applicant" includes individuals, partnerships, corporations, trusts and other legal entities in which the applicant has or previously had a legal interest:

a) Has the applicant ever owned a legal interest in any facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

- Yes No

If yes, please explain:

b) Has the applicant ever owned a legal interest in any portion of the property subject to this agreement? Yes No

If yes, please explain:

c) Has the applicant ever operated a business located at a facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

- Yes No

If yes, please explain:

d) Has the applicant ever operated a business located on any portion of the property subject to this agreement? Yes No

If yes, please explain:

e) Has the applicant, by any act or omission, caused, contributed to or exacerbated any release of hazardous substance now located on the property subject to this agreement? Yes No

If yes, please explain:

f) Please describe the nature of any past business or contractual relationship with the seller of this property:

None.

Public Benefit

The law requires that a substantial public benefit will result from the Prospective Purchaser Agreement. Substantial public benefits may include but are not limited to:

- The generation of substantial funding or other resources facilitating remedial measures at the facility in accordance with this section;
- A commitment to perform substantial remedial measures at the facility in accordance with this section;
- Productive reuse of a vacant or abandoned industrial or commercial facility; or
- Development of a facility by a governmental entity or nonprofit organization to address an important public purpose.

Please provide a brief summary of the public benefit(s) this Prospective Purchaser Agreement will provide to the local community and/or the State of Oregon:

The vacant property's office development is part of the larger Williams Russell Project that is redeveloping an entire City block with affordable housing ownership and affordable apartments. The City block was once a business center within the vibrant Albina community that housed the majority of Blacks in Oregon before a City-led urban renewal project acquired and demolished the block in the early 1970s for hospital use. The block has remained vacant since it was demolished.

The vacant, southeast corner of the property will be developed into a four-story office building with offices and retail spaces and an adjacent plaza. The property redevelopment will be led by the non-profit Black Business Hub. The property's development plan was driven by a diversity and equity- and community-centered approach, and the development will serve as a landmark center for the creation and support of local Black businesses. The attached site plan shows the location of the future office building and plaza on the eastern portion of the Williams & Russell block. Site development plans are being finalized and will be provided to DEQ when available. For additional project details, including the property history and a rendering of the development, please visit: <https://www.williamsrussellcdc.org/>.

The property will be remediated during construction by removing excavation spoils and disposing them at a regulated landfill. The remediation will have dedicated funds per the mechanisms listed above in the Section *Proposed Funding for Cleanup Activities*. The dedicated funds and the imminent property redevelopment demonstrate commitment to remediate the property.

Additional Application Contacts

Environmental Consulting Firm:
Contact Name: Jill Betts, RG
Company: Coles & Betts Environmental Consulting, LLC
Mailing Address: 5741 NE Flanders St, Portland, OR 97213
Phone Number: 503-477-6150
Email: jill@colesandbetts.com

Attorney/Law Firm:
Contact Name: Sarah Liljefelt
Company: Dunn Carney, LLP
Mailing Address: 851 SW Sixth Ave, Suite 1500, Portland, OR 97204
Phone Number: 503-224-6440
Email: SLiljefelt@dunncarney.com

DEQ Contacts

Please list the names of any DEQ staff that you have talked with regarding this property:

Lorenzo Danielson

Signature (The application must be signed by an authorized representative for the applicant.)

I certify that I have personally examined and am familiar with the information in this document and all attachments, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate and complete.

Azalea Renfield _____ 4/16/2024
Signature Date

Azalea Renfield Executive Director
Print Name Title

Application Submittal

<p>Send Completed Form and Enclosures to*:</p>	<p>Submittal Checklist*:</p>
<p>Oregon Department of Environmental Quality Attn: Revenue Section 700 NE Multnomah Street, Suite 600 Portland, OR 97232-4100</p>	<p><input type="checkbox"/> Legal description of the property enclosed? <input type="checkbox"/> Additional environmental reports enclosed (if applicable)? <input type="checkbox"/> Cost recovery letter agreement enclosed? <input type="checkbox"/> Deposit enclosed? (Check for \$2,500, made out to Oregon Department of Environmental Quality)*</p>

FOR MORE INFORMATION: Visit: <http://www.oregon.gov/deq/Hazards-and-Cleanup/env-cleanup/Pages/Prospective-Purchaser-Agreements.aspx>.

FOR QUESTIONS: Contact DEQ's PPA program coordinator at 503-229-6461 or email PPAInfo@deq.state.or.us*

* You may submit advance copies of forms via email if desired. **Please DO NOT send any confidential information** (such as scanned copies of checks with bank account numbers) through email.



State of Oregon
**Department of
 Environmental
 Quality**

Oregon Department of Environmental Quality

Application for Prospective Purchaser Agreement

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As provided in Oregon law (ORS 465.327), DEQ may approve PPAs “to facilitate cleanup and reuse of contaminated property” if all of the following criteria are met:

- 1) The prospective purchaser is not currently liable under any of the three following statutory authorities for an existing release of hazardous substances at the property to be purchased: ORS 465.255; ORS 466.640; or ORS 468B.
- 2) Contamination exists and removal or remedial action is necessary at the property under ORS 465.
- 3) The proposed use of the property will not contribute to or exacerbate existing contamination, increase health risks or interfere with necessary remedial action measures at the facility.
- 4) A substantial public benefit will result from the PPA.

The information in this application will help DEQ evaluate the eligibility of applicants based on these criteria.

Applicant Information			
Applicant: Williams Russell CDC			
Mailing Address: 6607 NE MLK Jr. BLVD			
City: Portland	State: OR	Postal (ZIP) Code: 97211	
Contact Name: Azalea Renfield, MPA, MPP		Title: Executive Director	
Phone Number: 503-482-8352		Email: azalea@williamsrussellcdc.org	

Site Information			
Site Name: Williams + Russell Future Affordable Apartments			
Site Address: Situs and tax lot number not available at this time. Will be provided after they are issued.			
City: Portland	State: OR	Postal (ZIP) Code: 97227	
Section: 27AC	Township: 1E	Range: 1N	Size (acres): Not available. See site address.
<input type="checkbox"/> Please attach a legal description of the property. See Site Address.		Tax Lot(s): See site address	
ECSI and/or UST Identification Number(s) and Names, if applicable: Not Applicable			
Current use of the property: Vacant Lot			
If property is vacant, how long has it been vacant? Approximately 53 years.			
Current zoning of the property: CM3dm(MU-U) - Commercial Mixed Use.			

Current Site Owner Information
Current Site Owner’s Name: Legacy Health System
Current Site Owner’s Mailing Address: 1919 NW Lovejoy St

City: Portland	State: OR	Postal (ZIP) Code: 97209-1503
Contact Name: Jay O'Brien, Associate General Counsel	Phone Number: 360-947-4132	Email: jaobrien@lhs.org
Is the current owner aware of your plans to seek a "Prospective Purchaser Agreement" with DEQ? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
To your knowledge, does the current owner have any objections or reservations regarding this proposed prospective purchaser agreement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe:		

Applicant's Proposed Interest in the Property

Are you planning to buy the property described above? Yes No

If no, describe your proposed interest in the property:

Nature and Timing of Pending Property Transaction

Please describe, if known, the nature and timing of the proposed property transaction in sufficient detail to give DEQ a sense of your needs and timetable. (Note: It is DEQ's goal to complete review and negotiation of most agreements within 6 - 8 weeks.):

The property transfer will occur in December 2024. Therefore, the PPA will need to be in place in October 2024 to accommodate the property transfer agreement timeline.

Agreement Type

Which type of Prospective Purchaser Agreement are you planning?

Administrative Agreement Consent Order Consent Judgment Undecided – **To be determined.**

Proposed Land Use

Describe the proposed development or reuse of the property. Attach site maps and supplemental information describing the intended development or reuse if available. (Note: site design maps and supplemental information are required if proposed buildings, parking lots, drainage systems or other developments could impact current or future environmental cleanup activities):

This affordable apartments development will be a six-story building with 85 one- to three-bedroom units with a community room, outdoor space, parking, resident services and culturally specific daycare. The apartments will be rented to individuals and families with a total household income less than 60% of the Area Median Income (AMI) and 10-15% of the units will be designated for individuals and families with a total household income less than 30% AMI. The attached site plan shows the location of the future apartment building on the southwest corner of the Williams & Russell block. Site development plans

are being finalized and will be provided to DEQ when available. For additional project details, including a rendering of the development, please visit: <https://www.williamsrussellcdc.org/>.

Local Government Planning Department Contact

Contact Name: Staci Monroe

Title: Senior Planner

Phone Number: 503-823-7526

Email: Staci.Monroe@portlandoregon.gov

Please summarize any conversations you have had with the local government planning department:

The project team has engaged in an early assistance meeting with the city of Portland under the following number: 2023-070912-000-00-EA. This process reviewed the proposed project with all City bureaus including environmental services, planning, and zoning. As of the date of this application, the current plans as proposed are deemed feasible on all fronts and the project team will continue to work with the City to make sure that all permitting and land use issues are resolved in the design.

Summary of Contamination & Investigation Status

Has a Phase I Environmental Site Assessment been conducted at the Property? Yes No

If yes please provide information on report title, consultant/consulting firm, date prepared:

Phase I Environmental Site Assessment Report, Williams & Russell Block, Northwest of the Intersection of N. Williams Avenue & N. Russell Street, Tax Lot 1N1E27AC 4100 and Portion of Tax Lot 1N1E27AC 1800, Portland, Oregon 97227 by C+BEC, dated July 28, 2023.

Has sampling or other environmental investigation been conducted at the Property? Yes No

If yes please summarize results:

The Phase II ESA investigation included: (1) a geophysical survey to identify USTs - no such evidence was found, and (2) soil /fill material and soil vapor sampling and laboratory analyses. The laboratory analyses concluded:

- Soil testing did not encounter significant contamination in the areas of environmental concern.
- Fill material was encountered in shallow soils (i.e., upper 3.5 feet) across the entire property. The fill material consisted of silts with small pieces of brick, glass, and burnt wood fragments. Laboratory testing indicate the majority of the fill material exceeds DEQ Clean Fill Criteria and/or applicable DEQ Risk-Based Criteria (RBCs), which would require disposal at a Subtitle D landfill (e.g., Waste Management's Hillsboro Landfill) if removed from the site during future redevelopment.
- Contamination was not identified in soil vapor samples.

The Phase II ESA results are included in the Phase I ESA report.

Have cleanups activities been conducted at the Property? Yes No

If yes please summarize activities: Remediation will occur during property redevelopment activities.
Please see the Proposed Cleanup Activities section for details.

Does DEQ have a copy of relevant reports? Yes No – If not, please provide (or attach) the reports

Known or suspected contaminant source(s):

The Phase II ESA identified demolition and associated surface grading materials (i.e., shallow fill) across the property. Former underground storage tanks and UICs, and unknown fill material may be encountered during construction.

Known or suspected contaminant(s):

The Phase II ESA identified the following contaminants:

1. The majority of soils / fill in the upper 3.5 feet of the property are characterized as non-hazardous, and they contain:

- Metals, oil-range petroleum hydrocarbons, volatile organic compounds (VOCs) (naphthalene only), and/or Semivolatile Organic Compounds (SVOCs) are above DEQ Clean Fill Criteria that require disposal at a regulated landfill.
- Arsenic, lead, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene are above DEQ RBCs for Soil Ingestion, Dermal Contact, and Inhalation for urban residential, occupational, construction worker and/or excavation worker.

Suspected contaminants would be associated with any tanks, UICs, and unknown fill material encountered during construction.

Type of Release

Briefly describe the nature of the hazardous substance release at the property. You may attach sampling results or additional information, or reference prior materials sent to DEQ by title and date. At a minimum, please provide basic information in the space below (e.g., list the known contaminants in soil, groundwater, surface water, sediments, etc.):

Fill material/soils in the upper 3.5 feet of the property contain:

- Metals, oil-range petroleum hydrocarbons, VOCs (naphthalene only), and/or SVOCs are above DEQ Clean Fill Criteria that require disposal at a regulated landfill.
- Arsenic, lead, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene are above DEQ RBCs for Soil Ingestion, Dermal Contact, and Inhalation for urban residential, occupational, construction worker and/or excavation worker.

Soil gas did not detect contaminants of concern.

Groundwater was not encountered.

Please see the Phase I ESA report for details, including sample locations and depths, and data summary tables.

In what year (or years) did the release (or releases) of hazardous substance(s) occur?

Fill material placement occurred after the City of Portland's eminent domain of the property and subsequent demolition of property buildings approximately 53 years ago (early 1970s). Please see the Public Benefit section below for details.

Cleanup Activities Underway or Completed

Please provide a summary of removal or remedial activities which have been undertaken or completed at the property already, if any:

None. Remediation will occur during property redevelopment activities. Please see the Proposed Cleanup Activities section below for details.

Proposed Cleanup Activities

Describe in general terms removal or remedial activities to be performed in the future, of which you are aware:

A CMMP will be prepared prior to redevelopment activities that will address the handling of excavated materials, steps to take when encountering unknown fill materials, dry wells, and tanks; and worker health and safety. The CMMP will be submitted to DEQ as part of the PPA agreement.

Excavate and remove fill materials and any impacted native soils and transport them to a regulated facility for disposal. Complete confirmatory soil sampling, and analyses to characterize the soil left in-place. Prepare a report that documents these activities.

The vapor barrier thickness for the buildings' foundations and radon mitigation systems is currently being evaluated for possible use as a vapor barrier and/or vapor mitigation in the event vapors from adjacent properties (i.e., former service stations and/or dry cleaners) pose a future risk to future building occupants.

Proposed Funding for Cleanup Activities

Funds for the cleanup and/or management of future project cleanup activities will be provided by:

- The applicant
- The current owner
- The applicant and current owner will share responsibility for the cleanup
- DEQ-funded (Determining if eligible for SWOSA funds)
- Other (please specify): Prosper Portland, Additional Funding via the EPA and City of Portland Brownfield Program.

Please describe the cleanup project lead and roles of the various parties in detail sufficient to give a clear understanding of who will be performing or paying for cleanup activities:

Subject to ongoing discussions with Legacy, Prosper Portland and the Williams Russell CDC.

Prospective Purchaser Liability

Indicate why the applicant is not presently liable under ORS 465.255 for an existing release of hazardous substance at the property. You may attach additional information if necessary. For purposes of these questions, "applicant" includes individuals, partnerships, corporations, trusts and other legal entities in which the applicant has or previously had a legal interest:

a) Has the applicant ever owned a legal interest in any facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

Yes No

If yes, please explain:

b) Has the applicant ever owned a legal interest in any portion of the property subject to this agreement? Yes No

If yes, please explain:

c) Has the applicant ever operated a business located at a facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

Yes No

If yes, please explain:

d) Has the applicant ever operated a business located on any portion of the property subject to this agreement? Yes No

If yes, please explain:

e) Has the applicant, by any act or omission, caused, contributed to or exacerbated any release of hazardous substance now located on the property subject to this agreement? Yes No

If yes, please explain:

f) Please describe the nature of any past business or contractual relationship with the seller of this property:

None.

Public Benefit

The law requires that a substantial public benefit will result from the Prospective Purchaser Agreement. Substantial public benefits may include but are not limited to:

- The generation of substantial funding or other resources facilitating remedial measures at the facility in accordance with this section;
- A commitment to perform substantial remedial measures at the facility in accordance with this section;
- Productive reuse of a vacant or abandoned industrial or commercial facility; or
- Development of a facility by a governmental entity or nonprofit organization to address an important public purpose.

Please provide a brief summary of the public benefit(s) this Prospective Purchaser Agreement will provide to the local community and/or the State of Oregon:

The vacant property's office development is part of the larger Williams Russell Project that is redeveloping an entire City block with affordable housing ownership and affordable apartments. The City block was once a business center within the vibrant Albina community that housed the majority of Blacks in Oregon before a City-led urban renewal project acquired and demolished the block in the early 1970s for hospital use. The block has remained vacant since it was demolished.

The vacant, southeast corner of the property will be developed into a four-story office building with offices and retail spaces and an adjacent plaza. The property redevelopment will be led by the non-profit Black Business Hub. The property's development plan was driven by a diversity and equity- and community-centered approach, and the development will serve as a landmark center for the creation and support of local Black businesses. The attached site plan shows the location of the future office building and plaza on the eastern portion of the Williams & Russell block. Site development plans are being finalized and will be provided to DEQ when available. For additional project details, including the property history and a rendering of the development, please visit: <https://www.williamsrussellcdc.org/>.

The property will be remediated during construction by removing excavation spoils and disposing them at a regulated landfill. The remediation will have dedicated funds per the mechanisms listed above in the Section *Proposed Funding for Cleanup Activities*. The dedicated funds and the imminent property redevelopment demonstrate commitment to remediate the property.

Additional Application Contacts

Environmental Consulting Firm:

Contact Name: Jill Betts, RG

Company: Coles & Betts Environmental Consulting, LLC

Mailing Address: 5741 NE Flanders St, Portland, OR 97213

Phone Number: 503-477-6150

Email: jill@colesandbetts.com

Attorney/Law Firm:
 Contact Name: Sarah Liljefelt
 Company: Dunn Carney, LLP
 Mailing Address: 851 SW Sixth Ave, Suite 1500, Portland, OR 97204
 Phone Number: 503-224-6440
 Email: SLiljefelt@dunnearney.com

DEQ Contacts
 Please list the names of any DEQ staff that you have talked with regarding this property:
 Lorenzo Danielson

Signature (The application must be signed by an authorized representative for the applicant.)
 I certify that I have personally examined and am familiar with the information in this document and all attachments, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate and complete.

Azalea Renfield _____ 4/11/2024
 Signature Date
 Azalea Renfield Executive Director
 Print Name Title

Application Submittal

<p>Send Completed Form and Enclosures to*: Oregon Department of Environmental Quality Attn: Revenue Section 700 NE Multnomah Street, Suite 600 Portland, OR 97232-4100</p>	<p>Submittal Checklist*:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Legal description of the property enclosed? <input type="checkbox"/> Additional environmental reports enclosed (if applicable)? <input type="checkbox"/> Cost recovery letter agreement enclosed? <input type="checkbox"/> Deposit enclosed? (Check for \$2,500, made out to Oregon Department of Environmental Quality)*
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FOR MORE INFORMATION: Visit: <http://www.oregon.gov/deq/Hazards-and-Cleanup/env-cleanup/Pages/Prospective-Purchaser-Agreements.aspx>.

FOR QUESTIONS: Contact DEQ's PPA program coordinator at 503-229-6461 or email PPAInfo@deq.state.or.us*

* You may submit advance copies of forms via email if desired. **Please DO NOT send any confidential information** (such as scanned copies of checks with bank account numbers) through email.



State of Oregon
**Department of
 Environmental
 Quality**

Oregon Department of Environmental Quality

Application for Prospective Purchaser Agreement

FOR DEQ USE ONLY	
Received:	
Amount:	
Check #:	
Q-Time:	
Project #:	

As provided in Oregon law (ORS 465.327), DEQ may approve PPAs “to facilitate cleanup and reuse of contaminated property” if all of the following criteria are met:

- 1) The prospective purchaser is not currently liable under any of the three following statutory authorities for an existing release of hazardous substances at the property to be purchased: ORS 465.255; ORS 466.640; or ORS 468B.
- 2) Contamination exists and removal or remedial action is necessary at the property under ORS 465.
- 3) The proposed use of the property will not contribute to or exacerbate existing contamination, increase health risks or interfere with necessary remedial action measures at the facility.
- 4) A substantial public benefit will result from the PPA.

The information in this application will help DEQ evaluate the eligibility of applicants based on these criteria.

Applicant Information			
Applicant: Williams Russell CDC			
Mailing Address: 6607 NE MLK Jr. BLVD			
City: Portland	State: OR	Postal (ZIP) Code: 97211	
Contact Name: Azalea Renfield, MPA, MPP		Title: Executive Director	
Phone Number: 503-482-8352		Email: azalea@williamsrussellcdc.org	

Site Information			
Site Name: Williams + Russell Future Affordable Homes (Condominiums)			
Site Address: Situs and tax lot number not available at this time. Will be provided after they are issued.			
City: Portland	State: OR	Postal (ZIP) Code: 97227	
Section: 27AC	Township: 1E	Range: 1N	Size (acres): Not available. See site address.
<input type="checkbox"/> Please attach a legal description of the property. See Site Address.		Tax Lot(s): See site address	
ECSI and/or UST Identification Number(s) and Names, if applicable: Not Applicable			
Current use of the property: Vacant Lot			
If property is vacant, how long has it been vacant? Approximately 53 years.			
Current zoning of the property: CM3dm(MU-U) - Commercial Mixed Use.			

Current Site Owner Information
Current Site Owner’s Name: Legacy Health System
Current Site Owner’s Mailing Address: 1919 NW Lovejoy St

City: Portland	State: OR	Postal (ZIP) Code: 97209-1503
Contact Name: Jay O'Brien, Associate General Counsel	Phone Number: 360-947-4132	Email: jaobrien@lhs.org
Is the current owner aware of your plans to seek a "Prospective Purchaser Agreement" with DEQ? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
To your knowledge, does the current owner have any objections or reservations regarding this proposed prospective purchaser agreement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe:		

Applicant's Proposed Interest in the Property

Are you planning to buy the property described above? Yes No

If no, describe your proposed interest in the property:

Nature and Timing of Pending Property Transaction

Please describe, if known, the nature and timing of the proposed property transaction in sufficient detail to give DEQ a sense of your needs and timetable. (Note: It is DEQ's goal to complete review and negotiation of most agreements within 6 - 8 weeks.):

The property transfer will occur in December 2024. Therefore, the PPA will need to be in place in October 2024 to accommodate the property transfer agreement timeline.

Agreement Type

Which type of Prospective Purchaser Agreement are you planning?

Administrative Agreement Consent Order Consent Judgment Undecided – **To be determined.**

Proposed Land Use

Describe the proposed development or reuse of the property. Attach site maps and supplemental information describing the intended development or reuse if available. (Note: site design maps and supplemental information are required if proposed buildings, parking lots, drainage systems or other developments could impact current or future environmental cleanup activities):

This condominium development will provide affordable home ownership. There will be 20 affordable homes for individuals and families at the 60-120% Area Median Income (AMI) affordable level (i.e., middle housing). The attached site plan shows the location of the future homes on the north end of the Williams & Russell block. Site development plans are being finalized and will be provided to DEQ when available. For additional project details, including a rendering of the development, please visit: <https://www.williamsrussellcdc.org/>.

Local Government Planning Department Contact	
Contact Name: Staci Monroe	Title: Senior Planner
Phone Number: 503-823-7526	Email: Staci.Monroe@portlandoregon.gov
<p>Please summarize any conversations you have had with the local government planning department:</p> <p style="margin-left: 40px;">The project team has engaged in an early assistance meeting with the city of Portland under the following number: 2023-070912-000-00-EA. This process reviewed the proposed project with all City bureaus including environmental services, planning, and zoning. As of the date of this application, the current plans as proposed are deemed feasible on all fronts and the project team will continue to work with the City to make sure that all permitting and land use issues are resolved in the design.</p>	

Summary of Contamination & Investigation Status
<p>Has a Phase I Environmental Site Assessment been conducted at the Property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes please provide information on report title, consultant/consulting firm, date prepared:</p> <p style="margin-left: 40px;"><i>Phase I Environmental Site Assessment Report, Williams & Russell Block, Northwest of the Intersection of N. Williams Avenue & N. Russell Street, Tax Lot 1N1E27AC 4100 and Portion of Tax Lot 1N1E27AC 1800, Portland, Oregon 97227 by C+BEC, dated July 28, 2023.</i></p>
<p>Has sampling or other environmental investigation been conducted at the Property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes please summarize results:</p> <p style="margin-left: 40px;">The Phase II ESA investigation included: (1) a geophysical survey to identify USTs - no such evidence was found, and (2) soil /fill material and soil vapor sampling and laboratory analyses. The laboratory analyses concluded:</p> <ul style="list-style-type: none"> • Soil testing did not encounter significant contamination in the areas of environmental concern. • Fill material was encountered in shallow soils (i.e., upper 3.5 feet) across the entire property, and fill material to depths of approximately 8 feet and 12 feet on the east side of the block. The fill material consisted of silts with small pieces of brick, glass, and burnt wood fragments. Laboratory testing indicate the majority of the fill material exceeds DEQ Clean Fill Criteria and/or applicable DEQ Risk-Based Criteria (RBCs), which would require disposal at a Subtitle D landfill (e.g., Waste Management’s Hillsboro Landfill) if removed from the site during future redevelopment.

- Contamination was not identified in soil vapor samples.

The Phase II ESA results are included in the Phase I ESA report.

Have cleanups activities been conducted at the Property? Yes No

If yes please summarize activities: Remediation will occur during property redevelopment activities.
Please see the Proposed Cleanup Activities section for details.

Does DEQ have a copy of relevant reports? Yes No – If not, please provide (or attach) the reports

Known or suspected contaminant source(s):

The Phase II ESA identified demolition and associated surface grading materials (i.e., fill) across the property and up to 12 feet of fill on the eastern portion of the property. Former underground storage tanks and UICs, and unknown fill material may be encountered during construction.

Known or suspected contaminant(s):

The Phase II ESA identified the following contaminants:

1. The majority of soils / fill in the upper 3.5 feet of the property are characterized as non-hazardous, and they contain:

- Metals, oil-range petroleum hydrocarbons, volatile organic compounds (VOCs) (naphthalene only), and/or Semivolatile Organic Compounds (SVOCs) are above DEQ Clean Fill Criteria that require disposal at a regulated landfill.
- Arsenic, lead, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene are above DEQ RBCs for Soil Ingestion, Dermal Contact, and Inhalation for urban residential, occupational, construction worker and/or excavation worker.

2. Fill material extending up to 12 feet below ground surface was also located on the eastern portion of the property. This fill material contains lead above DEQ Clean Fill Criteria. The laboratory reporting limits for selenium and naphthalene exceed DEQ Clean Fill Criteria, and it should be assumed that these exceed DEQ Clean Fill Criteria. DEQ RBCs were not exceeded.

Suspected contaminants would be associated with any tanks, UICs, and unknown fill material encountered during construction.

Type of Release

Briefly describe the nature of the hazardous substance release at the property. You may attach sampling results or additional information, or reference prior materials sent to DEQ by title and date. At a minimum, please provide basic information in the space below (e.g., list the known contaminants in soil, groundwater, surface water, sediments, etc.):

Fill material/soils in the upper 3.5 feet of the property contain:

- Metals, oil-range petroleum hydrocarbons, VOCs (naphthalene only), and/or SVOCs are above DEQ Clean Fill Criteria that require disposal at a regulated landfill.

- Arsenic, lead, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene are above DEQ RBCs for Soil Ingestion, Dermal Contact, and Inhalation for urban residential, occupational, construction worker and/or excavation worker.

Fill materials on the eastern portion of the property extend to approximately 12 feet below ground surface and contain:

- Lead above DEQ Clean Fill Criteria.
- The laboratory reporting limits for selenium and naphthalene exceed DEQ Clean Fill Criteria, and it should be assumed that these exceed DEQ Clean Fill Criteria.

Soil gas did not detect contaminants of concern.

Groundwater was not encountered.

Please see the Phase I ESA report for details, including sample locations and depths, and data summary tables.

In what year (or years) did the release (or releases) of hazardous substance(s) occur?

Fill material placement occurred after the City of Portland's eminent domain of the property and subsequent demolition of property buildings approximately 53 years ago (early 1970s). Please see the Public Benefit section below for details.

Cleanup Activities Underway or Completed

Please provide a summary of removal or remedial activities which have been undertaken or completed at the property already, if any:

None. Remediation will occur during property redevelopment activities. Please see the Proposed Cleanup Activities section below for details.

Proposed Cleanup Activities

Describe in general terms removal or remedial activities to be performed in the future, of which you are aware:

A CMMP will be prepared prior to redevelopment activities that will address the handling of excavated materials, steps to take when encountering unknown fill materials, dry wells, and tanks; and worker health and safety. The CMMP will be submitted to DEQ as part of the PPA agreement.

Excavate and remove fill materials and any impacted native soils and transport them to a regulated facility for disposal. Complete confirmatory soil sampling, and analyses to characterize the soil left in-place. Prepare a report that documents these activities.

The vapor barrier thickness for the buildings' foundations and radon mitigation systems is currently being evaluated for possible use as a vapor barrier and/or vapor mitigation in the event vapors from

adjacent properties (i.e., former service stations and/or dry cleaners) pose a future risk to future building occupants.

Proposed Funding for Cleanup Activities

Funds for the cleanup and/or management of future project cleanup activities will be provided by:

- The applicant
- The current owner
- The applicant and current owner will share responsibility for the cleanup
- DEQ-funded (Determining if eligible for SWOSA funds)
- Other (please specify): Prosper Portland, Additional Funding via the EPA and City of Portland Brownfield Program.

Please describe the cleanup project lead and roles of the various parties in detail sufficient to give a clear understanding of who will be performing or paying for cleanup activities:

Subject to ongoing discussions with Legacy, Prosper Portland and the Williams Russell CDC.

Prospective Purchaser Liability

Indicate why the applicant is not presently liable under ORS 465.255 for an existing release of hazardous substance at the property. You may attach additional information if necessary. For purposes of these questions, "applicant" includes individuals, partnerships, corporations, trusts and other legal entities in which the applicant has or previously had a legal interest:

a) Has the applicant ever owned a legal interest in any facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

Yes No

If yes, please explain:

b) Has the applicant ever owned a legal interest in any portion of the property subject to this agreement? Yes No

If yes, please explain:

c) Has the applicant ever operated a business located at a facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

Yes No

If yes, please explain:

d) Has the applicant ever operated a business located on any portion of the property subject to this agreement? Yes No

If yes, please explain:

e) Has the applicant, by any act or omission, caused, contributed to or exacerbated any release of hazardous substance now located on the property subject to this agreement? Yes No

If yes, please explain:

f) Please describe the nature of any past business or contractual relationship with the seller of this property:

None.

Public Benefit

The law requires that a substantial public benefit will result from the Prospective Purchaser Agreement. Substantial public benefits may include but are not limited to:

- The generation of substantial funding or other resources facilitating remedial measures at the facility in accordance with this section;
- A commitment to perform substantial remedial measures at the facility in accordance with this section;
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Please provide a brief summary of the public benefit(s) this Prospective Purchaser Agreement will provide to the local community and/or the State of Oregon:

The vacant property's office development is part of the larger Williams Russell Project that is redeveloping an entire City block with affordable housing ownership and affordable apartments. The City block was once a business center within the vibrant Albina community that housed the majority of Blacks in Oregon before a City-led urban renewal project acquired and demolished the block in the early 1970s for hospital use. The block has remained vacant since it was demolished.

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Additional Application Contacts

Environmental Consulting Firm:
Contact Name: Jill Betts, RG
Company: Coles & Betts Environmental Consulting, LLC
Mailing Address: 5741 NE Flanders St, Portland, OR 97213
Phone Number: 503-477-6150
Email: jill@colesandbetts.com

Attorney/Law Firm:
Contact Name: Sarah Liljefelt
Company: Dunn Carney, LLP
Mailing Address: 851 SW Sixth Ave, Suite 1500, Portland, OR 97204
Phone Number: 503-224-6440
Email: SLiljefelt@dunncarney.com

DEQ Contacts

Please list the names of any DEQ staff that you have talked with regarding this property:

Lorenzo Danielson

Signature (The application must be signed by an authorized representative for the applicant.)

I certify that I have personally examined and am familiar with the information in this document and all attachments, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate and complete.

Azalea Renfield 4/11/2024

Signature Date

Azalea Renfield Executive Director

Print Name Title

Application Submittal

<p>Send Completed Form and Enclosures to*:</p> <p>Oregon Department of Environmental Quality Attn: Revenue Section 700 NE Multnomah Street, Suite 600 Portland, OR 97232-4100</p>	<p>Submittal Checklist*:</p> <p><input type="checkbox"/> Legal description of the property enclosed? <input type="checkbox"/> Additional environmental reports enclosed (if applicable)? <input type="checkbox"/> Cost recovery letter agreement enclosed? <input type="checkbox"/> Deposit enclosed? (Check for \$2,500, made out to Oregon Department of Environmental Quality)*</p>
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FOR MORE INFORMATION: Visit: <http://www.oregon.gov/deq/Hazards-and-Cleanup/env-cleanup/Pages/Prospective-Purchaser-Agreements.aspx>.

FOR QUESTIONS: Contact DEQ's PPA program coordinator at 503-229-6461 or email PPAInfo@deq.state.or.us*

* You may submit advance copies of forms via email if desired. **Please DO NOT send any confidential information** (such as scanned copies of checks with bank account numbers) through email.

Oregon Department of Environmental Quality
PROSPECTIVE PURCHASER
COST RECOVERY LETTER AGREEMENT

This agreement is between the Oregon Department of Environmental Quality (DEQ) and Williams Russell CDC (BUYER) regarding preparation of a Prospective Purchaser

Agreement for the property located at the vacant City block northwest of the intersection of N Williams Ave and N Russell St, Portland, Multnomah County, Oregon.

Site Name: Williams + Russell Block.

ECSI and/or UST Identification Number(s) and Names (if applicable): Not Applicable

BUYER requests DEQ assistance in preparing and negotiating a Prospective Purchaser Agreement regarding the above mentioned site. DEQ agrees to review relevant environmental and other documents submitted by BUYER or on BUYER's behalf, necessary to the preparation of a Prospective Purchaser Agreement. This agreement is designed for situations where the site and/or applicant are not already receiving DEQ oversight through the Voluntary Cleanup Program or through other orders or agreements with DEQ.

DEQ requires that party seeking DEQ preparation of a Prospective Purchaser Agreement provide a minimum deposit of \$2,500.00 as an advance against costs that DEQ incurs. The advance deposit must be in the form of a check payable to DEQ. When BUYER signs this Letter Agreement, formalizing the request to begin the project, and the deposit and Application have been received by DEQ, a sub-account of the Hazardous Substances Remedial Action Fund will be established to be drawn upon by DEQ as project costs are incurred from the project start date.

DEQ project costs will include direct costs and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the DEQ and of the Land Quality Division. Indirect costs are those allocable to DEQ oversight of the Letter Agreement which are not charged as direct, site-specific costs. Indirect charges are based on actual costs and are applied as a percentage of direct personal services costs. Review and agreement preparation costs will not include any unreasonable costs or costs not otherwise recoverable by DEQ under ORS 465.255.

DEQ will provide BUYER with a monthly statement, a sample of which is attached. Because of the limited scope of work envisioned under this Letter Agreement, accounting details above the level of the sample attached will not be provided by DEQ. In the event project costs exceed the sub-account balance, DEQ will submit to BUYER an invoice for any costs in excess of the deposit. In the event project costs do not exceed the sub-account balance, DEQ will refund any amount of the deposit remaining in excess of the actual costs, or will apply the remaining amount toward oversight of an administrative agreement if an agreement for further action is necessary (e.g., Voluntary Cleanup Agreement to conduct remediation activities under DEQ oversight).

DEQ invoices will be sent to:

Billing Contact Name: Azalea Renfield, MPA, MPP, Executive Director

Company Name: Williams Russell CDC

Mailing Address: azalea@williamsrussellcdc.org

City, State and ZIP Code: Portland, OR 97211

Phone Number: 503-482-8352

Either DEQ or BUYER may terminate this Letter Agreement by giving written notice to the other. Only those costs incurred or obligated by DEQ prior to the effective date of any termination of this Letter Agreement are recoverable under this Agreement. Termination of this Letter Agreement will not affect any other right DEQ may have for recovery of costs under any applicable law.

BUYER will hold DEQ harmless and indemnify DEQ for any claims (including, but not limited to, claims of property damage or personal injury) arising from activities conducted under this Letter Agreement.

This Letter Agreement is not to be construed as an admission by BUYER of any liability under ORS 465.255 or any other law or as a waiver of any defense to such liability.









This Letter Agreement is not to be construed as a waiver, release or settlement of claims DEQ may have against BUYER or any other person or as a waiver of any enforcement authority DEQ may have with respect to BUYER or the property. Upon DEQ's request and as necessary to prepare a Prospective Purchaser Agreement under this Letter Agreement, BUYER will provide DEQ with data and records related to investigation and cleanup activities at the property, excluding any privileged documents identified as such by BUYER.

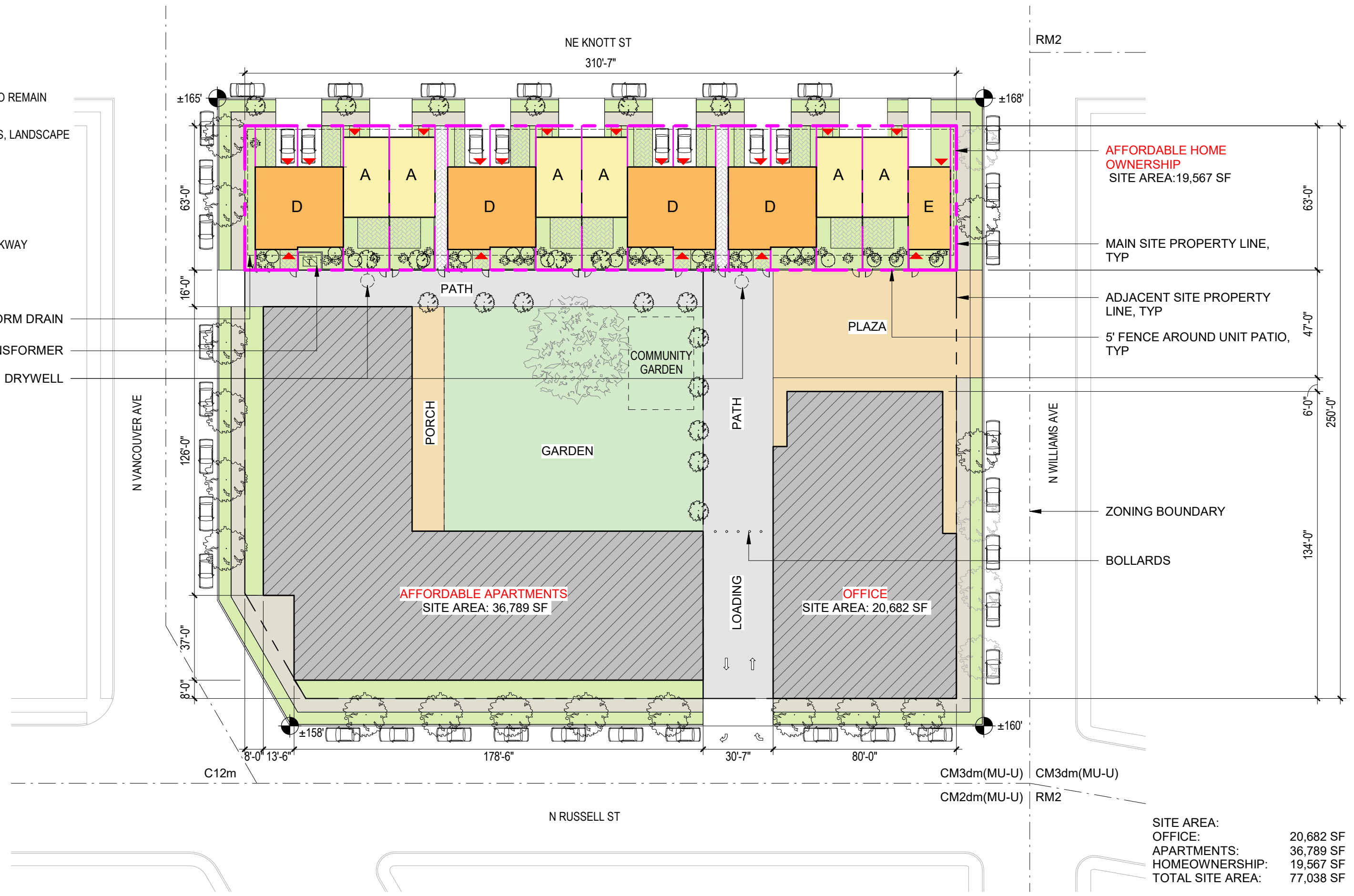
If the terms of this Letter Agreement are acceptable, please have it executed by an authorized representative in the space provided below and return it to DEQ in order to activate the review of your Application for a Prospective Purchaser Agreement.

Accepted and agreed to this 16 day of April, 2024.

By: Williams & Russell CDC (BUYER)

Printed Name: Azalea Renfield Title: Executive Director

-  PROPERTY LINE
-  UNIT ENTRY
-  PROPOSED TREE
-  EXISTING TREE TO REMAIN
-  PLANTINGS, SOILS, LANDSCAPE
-  PLAZA
-  PAVING
-  UNIT PATIO / WALKWAY



AFFORDABLE HOME OWNERSHIP
SITE AREA: 19,567 SF

AFFORDABLE APARTMENTS
SITE AREA: 36,789 SF

OFFICE
SITE AREA: 20,682 SF

SITE AREA:	
OFFICE:	20,682 SF
APARTMENTS:	36,789 SF
HOMEOWNERSHIP:	19,567 SF
TOTAL SITE AREA:	77,038 SF