

Review Comments

Date: 6/24/2024

Project: Roseburg Forest Products: Draft Site Management Plan—Tax Lots 500 and 600

Page: 1 of 5

Reviewer: D. Heitz and C. Bryan response to D. Hanson with ODEQ

Project No.: M1419.14.006

Comment No.	Original Section	Revised Section	Oregon DEQ Review Comments (Summarized)	Response
Land Use and Capping of Contaminated Soils				
1			The PPA restricts development for commercial/occupational use, as well as residential and agricultural. Any of these prohibited uses would require further investigation and/or cleanup (including possible cap) under DEQ oversight and approval, per the PPA/SOW.	The idea was floated early in the PPA negotiations for the SMP to govern application of caps so that the property could have some pre-approved developed uses. But we realize that the language and follow-up needed to bring this to fruition was not tracked through closely enough and now the Order on Consent has been finalized. We had anticipated that the review of the SMP would happen prior to PPA finalization so that DEQ could further consider this language/approach. We would like to understand the options for revising the Order on Consent or other actions that can allow Roseburg Forest Products (RFPs) use of the property, even if in a limited capacity.
2	4.1.5	5.1.5	<p>Any remedial action (RA) to prevent unacceptable risk to occupational users of the site (e.g., a cap to prevent exposure to occupational workers) would require a design submitted to DEQ for approval. DEQ considers caps for protection of human health to be an engineering control (EC) and require institutional controls (ICs) for long term care of the cap.</p> <p>An EES would be required to be prepared and recorded on the land requiring maintenance of the CAP and appropriate inspections, maintenance, and reporting.</p>	<p>As noted above, we would like to discuss this further and thus have not yet revised these sections of the SMP. Incremental Sampling Methodology data from surface soil only depicted that one decision unit contained concentrations above occupational RBCs. So based on existing surface soil data only 7.86-acres of the 22.85-acre property appears warranted for restricted occupational use. Considering all available data, there are 8.58-acres of the Property where only one sample from a catch basin exceeded occupational RBCs for the analytes assessed (no surface or samples at depth exceeded occupational RBCs). If RFP, for example, would select to install a parking lot on this property or use it for materials staging, paving or laying down gravel on a portion of it would improve conditions related to leaching to groundwater and help provide additional assurances for occupational use of the property.</p> <p>The wording that was proposed was to limit frequent occupational use of the Property without a cap or sampling to show that surface conditions do not require additional controls. As data is already in hand</p>

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				<p>that could indicate this for portions of the property, and as a cap would improve conditions, we ask that DEQ reconsider the language in the SMP and allow “development” of the property for select uses (see the new language added in Section 5.1.5 as follows:</p> <p><i>The Owner may choose to install or confirm the extent of existing caps, specifically for industrial purposes with infrequent use by occupational workers, at the Property without further approval from DEQ. Examples of such uses include a parking lot, a storage and laydown yard, and a storage shed or warehouse. Commercial, residential, and agricultural use of the Property is prohibited without DEQ approval.</i></p> <p>While RFP is not opposed to recording an EES, we included cap inspection, maintenance, and reporting provisions within the SMP (these sections have been retained for further consideration). The Order on Consent is recorded to title and clearly requires the use of the SMP, which then conveys the capping limitations and requirements.</p>
3	(n/a)	2	We suggest that you include a roles and responsibilities section toward the beginning of the document.	We have added a roles and responsibilities section as Section 2.
Specific Comments on the Site Management Plan				
a	Summary	Summary	DEQ suggests that the site restrictions (property-wide controls) be included prominently toward the beginning of the plan, so readers in the future are well aware of those critical requirements/restrictions.	We have updated the summary to include site restrictions as the second bullet of the summary section.
b	2.1.2	3.1.2	2 nd paragraph, repeated word “exceeded”.	Thank you for the callout. We have deleted the repeated word.
c	3.1.4, 3.1.4.2	4.1.4, 4.1.4.2	The SMP should require that a hazardous waste determination be conducted on soil and water planned for off-site transportation and disposal to determine if it contains hazardous waste, and that it is counted and managed appropriately.	We have updated the language in these sections to discuss hazardous waste determinations.

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d	3.1.4.1, 3.1.4.2	4.1.4.1, 4.1.4.2	Remind the reader that all soil at the site should be assumed to be contaminated.	The first sentence of Section 4.1.4 mentions that soil at the site should be assumed to be contaminated. We have bolded and italicized this sentence, and this emphasis carries over into subsections 4.1.4.1 and 4.1.4.2.
e(i)	3.1.4.1, 3.1.4.2	4.1.4.1, 4.1.4.2	...having a Clean Fill option could be misleading and contrary to other statements that should be in the SMP, such as "All surface and subsurface soils should be considered to contain hazardous substances..."	While we agree that all soils should be considered to contain hazardous substances, there is potential for media requiring disposal to contain contaminants at nonhazardous or clean fill concentrations. Text in this section is intended to provide guidance for disposal based on these potential characterizations. We have updated language in this SMP to clarify this.
e(ii)			The administrative record for the site notes that the soil stockpile consists of soil excavated from wood treating areas, presumably with pentachlorophenol (PCP). Dioxins are known to be contained in PCP. While PAH (including PCP) levels were lowered by treating, dioxins apparently were not, or remain at elevated concentrations regardless.	Clarification: Reviewed files indicate that there was an area of the Property that contained soils impacted by a PCP-containing wood treatment chemical, Dowacide G. However, the files indicate that this impacted area was small (10'x20') and the ~30 cubic yards of soil that were removed from this area were disposed of off-site and not in the treated soil stockpile. While there is potential for PCP impacts to still exist in discrete locations within Property boundaries, testing indicates that PCP contamination is neither significant nor widespread. The 2021 Camas Phase II ESA tested for PCP in soil at multiple locations throughout the Property, including surface soils and at depth in the treated soil stockpile, and this constituent was not detected above laboratory detection limits in any of these samples. However, we have added language specific to PCP in Sections 3.1.1 and 4.1.1 of the SMP.
f	3.2.1	4.2.1	(...) a plan should be submitted to DEQ Water Quality, and that for a one-off/short term application of water an option could be a Special WPCF Permit (for 60 days).	We have updated language in this section to clarify that DEQ approval will be required before infiltrating excavation dewatering water on site.
g	3.2.2	4.2.2	A hazardous waste determination should be conducted on the water before taking it off site for disposal.	We have updated the language in this section to discuss hazardous waste determinations
h	3.3	4.3	Reiterate that most or all soil and groundwater beneath the site should be presumed to be contaminated with dioxins	We have updated the language in this section to state that any media encountered during investigative procedures should be, at minimum,

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			and possibly other COCs until shown otherwise by testing.	handled using the same procedures as other known contaminated media from the Property.
i	3.4	4.4	If contaminated, debris (in soil stockpile) may be considered a solid waste, or a hazardous waste. A hazardous waste determination should be conducted on the debris like soil and groundwater if taken off site.	We have updated the language in these sections to discuss hazardous waste determinations.
j	4.1	5.1	Reiterate that land and groundwater use restrictions are a part of the PPA	We updated the language in this section to reiterate this.
k	4.1.1	5.1.1	Who would prepare the HASP? Consultant, Engineer, Owner?	We updated the language in this section to clarify who is responsible for preparing the HASP.
l	4.1.4	5.1.4	Revise because occupational use not allowed without further investigation and/or cleanup, with DEQ approval.	We updated the language in this section to state this.
m	4.1.5	5.1.5	Cap and Maintenance sections (temporary or permanent) should be removed.	See comment responses 1 and 2 above.
n	4.1.6	5.1.6	Use of groundwater would require DEQ approval, as well as testing to show it was safe, per the PPA.	This has been added.
o	4.3.2	5.3.2	Remove cap language	See comment responses 1 and 2 above.
p	4.4	5.4	Corrective actions should be documented in the annual inspection reports.	As corrective actions may be minor, we are seeking to refine this language to not create an undue burden on the Owner or DEQ. Does this redline work for DEQ or what other parameters can you suggest for this section (e.g., corrective actions indicative of a potential release off Property)?
q	(n/a)	Revisions (Page vi)	Suggest adding a SMP revisions section.	Thank you for this comment. We have added a revisions table as Page VI of the SMP
r	Inspection Form	5.3.2, Inspection Form	Include a section within the form regarding construction or excavation on the site, where they occurred, and how soil and water were managed.	We have clarified verbiage in Sections 5.3.2 and on the inspection form to call out inclusion of Construction Summary Reports in Annual Recordkeeping. This will allow the Owner to easily include all

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				information associated with any construction work that takes place during any phase of construction.
s	Figure 2-2	Figure 3-1	In the legend for purple sample locations uses the terms “RBC” and “clean fill” incorrectly.	Thank you for this comment. We have removed the Figure layer that used these terms.
	Figure 2-2	Figure 3-1	DEQ isn’t sure how helpful the individual sample locations are on this figure, and they may be confusing.	We agree, and we have removed these sample locations and combined Figures 2-1 and 2-2 for ease of use. Additionally, the combined figure was renamed to Figure 3-1 due to updates in SMP language.