DANA Kevin

From: TORAN Greg
Sent: Wednesday, March 11, 2009 3:32 PM
To: COOK Laurey
Cc: DANA Kevin
Subject: Report from Maul Foster for 6569 MLK Cardlock

Laurey,

Sampling was required when PetroCard replaced one dispenser. I have the amended report.

I have what I needed which was verification that the sampling was done where the dispenser was replaced. They actually sampled at two dispensers including the one that was lifted off and reinstalled, this wasn't required but it does make sense if there was staining.

There are no containments under these dispensers, spilling by customers and small seeps at filters or dispenser components is common.

Anyway, I can ask Kevin Dana to look at this report to compare with the prior NFA, or I can send it to you.

Gregory Toran
Environmental Specialist
DEQ Northwest Region Office
2020 SW 4th Avenue Suite 400
Portland, Oregon 97201
Ph 503-229-5496
Fax 503-229-6945

DANA Kevin

From: ISMERIO Dawn
Sent: Tuesday, May 01, 2007 2:48 PM
To: DANA Kevin
Subject: RE: Final Invoices Received?

See below

Dawn

-----Original Message-----
From: DANA Kevin
Sent: Tuesday, May 01, 2007 12:25 PM
To: ISMERIO Dawn
Cc: DANA Kevin
Subject: Final Invoices Received?

Hi Dawn,

It's once again time for me to follow up on LUST projects that should have paid their final invoices by now. Could you let me know what the outstanding balance (if any) is for each of these projects? Thanks! KD

34-03-0633 Shell Service Station Final invoiced Sep 1, 2006 , paid in full, closed

34-89-0150 ARCO SS #6070 Final invoiced Dec 7, 2006 , paid in full, closed

03-91-0301 Texaco Station Final invoiced Dec 11, 2006 , Owes $275.91

26-04-1499 Hauge Property Final invoiced Dec 15, 2006 , Owes $1,791.81

26-98-0966 Port Services Co Final invoiced Jan 4, 2007 , paid in full, closed

26-06-0761 Pacific Pride #264 II Final invoiced Jan 17, 2007 , paid in full, closed

34-06-0185 Arbor Road LLC Final invoiced Feb 7, 2007 , paid in full, closed

03-96-0010 Dave's Palisades Chevron Inc Final invoiced Feb 7, 2007 , paid in full, closed

03-06-0147 Andersons' Service II Final invoiced Feb 9, 2007 , paid in full, closed.

Memorandum

To: File

From: Laurey Cook

Date: 4/5/2007

Re: Administrative Closure 26-06-0761

The Baseline Report for this site (File Number 26-06-0761) indicated that the impacts were consistent with the previously issued NFA. In comparing the new information with that in the closed file, it appears that the petroleum impacts at the site may be more wide spread than earlier estimated. However, the contaminant concentrations appear consistent with those previously reported, and do not increase the risks previously assessed. The NFA under file number 26-94-0044 notes that if remodeling or construction is performed at the site, additional investigation will be required. This letter does not change the requirements of the previously issued NFA, but updates the information to show an expanded area of impact.

According Kleinfelder report dated April 23, 2003 entitled *Additional Site Characterization Soil Remediation, and Risk-Based Evaluation* (2003 Report), there were petroleum releases at the site at the west and east pump islands. According to the 2003 Report, the soil impacts would likely attenuate with depth and were not anticipated to extend beyond the concrete pad. Additionally, the 2003 Report notes that the groundwater impact is likely confined to the east pump island.

During recent site investigation activities, petroleum impacts were detected in soil and groundwater on the west side of the property, south of a UST vault (KGP-04), in an area not previously investigated. Concentrations of 2,030 part per million (ppm) total petroleum hydrocarbons (TPH) in the gasoline range and 0.587 ppm benzene were detected in soils at a depth of 20 feet below ground surface. Additionally, groundwater in this sample location contained concentrations of 430 parts per billion (ppb) TPH in the gasoline range and 436 ppb TPH in the diesel range. Historic groundwater monitoring at the site indicates that the groundwater gradient, while relatively flat, is generally to the north. These detected impacts are up-to cross-gradient of the wells previously monitored at the site. Impacts were also detected at the east pump island (KPG02) during the recent investigation. However, the impact detected at KPG02 appears consistent with the previously reported contamination.

The recent investigation does not show an increased risk from that assessed in the September 22, 2003 NFA issued for the site (No. 26-94-0044), but the impact at KGP-04 indicates that the petroleum release may have been more wide spread than previously reported. Because the sampling does not show and increase in risk and the previously issued NFA requires additional investigation if site conditions should change, no further investigation is required at this time. The NFA file will be updated to contain the current information.

Oregon
Theodore R. Kulongoski, Governor

Department Of Environmental Quality
Northwest Region - East Side Office
1550 NW Eastman Parkway, Suite 290
Gresham, Oregon 97030
(503) 667-8414
Fax: (503) 674-5148

April 5, 2007

Mr. Larry Duckett
Truax Harris LLC
3077 NW St. Helens Road
Portland, OR 97210

Re: Truax Harris site
UST Cleanup Files 26-06-0761
See also 26-94-0044

Dear Mr. Duckett:

This letter is to inform you that the underground storage tank (UST) cleanup site file number 26-06-0761, located at 8100 NE Martin Luther King Blvd. in Portland, Oregon, is administratively closed. The previously issued no further action (NFA) (File No. 26-94-0044) has been updated to reflect the new information submitted. DEQ assigned the File No. 26-94-0044 to the site as a result of a release reported at the site in March of 1994. DEQ issued an NFA for the investigation and cleanup activities associated with that reported release on September 22, 2003.

On May 1, 2006, Kleinfelder, an environmental consulting company, reported detecting a petroleum contamination at the site when performing a subsurface site assessment. Following the release report, Kleinfelder submitted a *Baseline Environmental Assessment Report* for the site, dated May 9, 2006. In the May 2006 Report Kleinfelder concluded that the impacts were consistent with those addressed in the 2003 NFA. DEQ agrees that risks associated with contaminant concentrations detected in May 2006 are consistent with those previously assessed for the site, but finds the petroleum contamination is more widespread than previously reported. Because the contaminant concentrations do not show an increase risk, the 2006 report will be added to File No. 26-94-0044 and the file 26-06-0761 is administratively closed. No further action is required as a result of the investigation report in May 2006. The conditions of the September 2003 NFA remain the same regarding the restriction of shallow groundwater usage and the requirement for additional investigation if the site usage should change.

Thank you for your cooperation in this matter. Please feel free to call me in the Northwest Region Eastside office in Gresham at 503-667-8414 extension 55007

Sincerely,

Laurey Cook, Natural Resource Specialist
UST Cleanup and Compliance Section
NWR Tank Program

llc:LLC
cc: Reid Kenner
Kleinfelder
15050 SW Koll Parkway
Beaverton, OR 97006

Oregon
Theodore R. Kulongoski, Governor

Department of Environmental Quality
Northwest Region Portland Office
2020 SW 4th Avenue, Suite 400
Portland, OR 97201-4987
(503) 229-5263
FAX (503) 229-6945
TTY (503) 229-5471

September 22, 2003

LARRY DUCKETT
TRUAX HARRIS ENERGY, LCC
P.O. BOX 607
WILSONVILLE, OR 97070

Re: TRUAX-HARRIS #264
File No. 26-94-0044
Facility ID No. 6569

Dear Mr. Duckett

The Department of Environmental Quality has completed its review of the information submitted to date concerning a release of petroleum hydrocarbons and the subsequent site investigation conducted at the Truax Harris facility located at 8100 NE MLK Blvd., in Portland, Oregon. The Department has determined that the cleanup appears to have met the requirements of Oregon Administrative Rules (OAR) 340-122-205 through 340-122-360 and that no further action is required at this time.

This determination is a result of our evaluation and judgment based on the regulations and facts as we now understand them, including:

SITE INFORMATION

The subject property is located at 8100 NE MLK Blvd., in Portland, Oregon. Land use coordinates are: Section 11, Township 1 North, Range 1 East. The site encompasses approximately 52,000 ft^2 and is zone commercially. The western half of the property contains a Pacific Pride commercial cardlock fueling facility composed of five (5) USTs and three (3) pump islands.

SITE CHARACTERIZATION

In March 1994, during the upgrade of the stage II recovery system, gasoline and diesel contaminated soil was detected near the east pump islands. A pipe leak was discovered and repaired beneath the east island unleaded fuel dispenser. Gasoline (1,300 ppm) and diesel (20,000 ppm) hydrocarbons were detected at concentrations exceeding the Soil Matrix II cleanup levels of 80 ppm and 500 ppm, respectively. Approximately 12 tons of contaminated soil was transported to TPS Technologies.

In May 1994, three (3) monitoring wells were installed adjacent to the east pump islands. Six (6) soil samples were collected and analyzed using TPH-HCID methods. Analytical results indicated that petroleum hydrocarbons were not detected above method reporting limits (ND). Groundwater samples were collected and analyzed for benzene, toluene, ethylbenzene, and xylenes (BTEX) and polynuclear aromatic hydrocarbons (PAHs). Dissolved benzene was detected in all three (3) wells at concentrations ranging from 0.7 ppb to 180 ppb. PAHs constituents were ND.

In November 1996, two (2) monitoring wells were placed downgradient from the release source. Four (4) soil samples were collected and analyzed using TPH-HCID methods. Analytical results indicated that petroleum hydrocarbons were ND. Groundwater samples were collected and analyzed for BTEX and dissolved lead. Dissolved benzene was only detected in KMW-04 at a concentration of 6.56 ppb. Dissolved lead was ND in both wells.

In February 2000, five (5) soil borings were placed adjacent to the east pump islands. Eight (8) soil samples were collected and analyzed using TPH-Dx methods. Analytical results indicate that diesel (ranging from 363 ppm to 14,100 ppm) and heavy oil (54 ppm to 1,040 ppm) hydrocarbons were detected in collected soil samples. Two (2) samples were further analyzed for VOCs and PAHs. Analytical results indicated that contaminants of concern (COCs) were either ND or detected at concentrations below occupational RBCs for all soil exposure pathways. The exception was benzene which was detected at concentrations (0.592 ppm and 2.54 ppm) exceeding the occupational RBCs for the indoor air volatilization (0.5 ppm) and the leaching to groundwater exposure pathways (0.10 ppm).

In October 2000, approximately 21 tons of contaminated soil was removed from an area adjacent to the west pump island. After completion of excavation activities, twelve (12) soil samples were collected and analyzed for one or more of the following: TPH-Gx, TPH-Dx, VOCs, PAHs, and BTEX. Analytical results indicated that detected gasoline hydrocarbons ranged from 2.29 ppm to 688 ppm. Diesel hydrocarbons were detected at concentrations ranging from 36.5 ppm to 14,860 ppm. PAHs, BTEX, and VOCs constituents were either ND or detected at concentrations below occupational RBCs for all soil exposure pathways. The exception was benzene which was detected at a concentration (0.769 ppm) exceeding the occupational RBCs for the indoor air volatilization (0.5 ppm) and the leaching to groundwater exposure pathways (0.10 ppm).

In November 2000, approximately 74 tons of contaminated soil was removed from an area adjacent to the east pump island. After completion of excavation activities, thirteen (13) soil samples were collected and analyzed using TPH-Gx, TPH-Dx, VOCs, PAHs, and BTEX. Analytical results indicated that detected gasoline hydrocarbons ranged from 20.1 ppm to 2,030 ppm. Diesel hydrocarbons were detected at concentrations ranging from 32.3 ppm to 10,900 ppm. PAHs, VOCs, and BTEX constituents were either ND or detected at concentrations below occupational RBCs for all soil exposure pathways.

COMPLIANCE GROUNDWATER MONITORING

From May 1994 to July 2000, groundwater samples were collected from a five (5) monitoring well network. Historically, KMW01 had the highest concentration (7,250 ppb) of dissolved benzene. From October 2000 to July 2001, four (4) consecutive quarterly monitoring events were completed. Collected groundwater samples were analyzed using one or more of the following methods: BTEX, VOCs, PAHs, and dissolved lead. Analytical results indicate that COCs were either ND or detected at concentrations below occupational RBCs for all groundwater exposure pathways. The exception was benzene (690 ppb) detected at a maximum concentration exceeding the occupational RBCs for the groundwater ingestion (4.3 ppb) and tapwater (1.0 ppb) exposure pathways.

RISK BASED EVALUATION

Land use for the property and the surrounding area is zoned as heavy industrial. Therefore, an occupational receptor scenario was selected for the site and surrounding area is considered appropriate for evaluating potential risk.

In order to determine the usage of groundwater in the local area, a Beneficial Water Use Determination (BWUD) was completed. The nearest surface water body is the Columbia Slough which is located approximately 0.3 miles north. A review of Oregon Water Resources Department (OWRD) records identified three (3) water wells within a ¼ mile radius of the site. The nearest waterwell is located approximately 900 feet northwest of the property. Impact to the offsite wells is considered negligible based on location and distance. A public water service supplies drinking water to the subject site and surrounding properties. Based on the existence of a municipal water supply, poor groundwater quality and low recovery rates, it is highly unlikely that shallow groundwater located beneath and immediately adjacent to the site will be utilized as a future drinking water source. Therefore, the groundwater ingestion and tapwater pathways are considered to be incomplete.

The Conceptual Site Model (CSM) indicates that the applicable soil exposure pathways are volatilization to outdoor air and ingestion/inhalation/dermal contact for occupational and excavation workers. Analytical results indicated that COCs were either ND or were below the occupational RBC for volatilization to outdoor air exposure pathway and the excavation worker RBC for the ingestion/inhalation/dermal contact soil exposure pathway.

The exception was benzo(a)pyrene which was detected at a concentration (0.768 ppm) exceeding the occupational RBC (0.27 ppm) for the ingestion/inhalation/dermal contact exposure pathway. Using site specific conditions, the generic occupational RBC for the ingestion/inhalation/dermal contact exposure pathway was recalculated. Occupational receptors are onsite infrequently for maintenance activities since the commercial cardlock is a computerized facility. The occupational default exposure parameter for the exposure frequency is 250 days/year. A more realistic conservative estimate for the exposure frequency is 60 days. The re-calculated RBC value for benzo(a)pyrene is 1.1 ppm. Thus the maximum detected concentration for benzo(a)pyrene (0.678 ppm) does not exceed the site-specific RBC value of 1.1 ppm

The CSM denotes that the applicable groundwater exposure pathway is volatilization to outdoor air. Analytical results from the last four (4) consecutive monitoring events indicated that COCs were either ND or detected below the occupational RBCs for both the volatilization to outdoor air and excavation worker groundwater exposure pathways.

SITE CONTROLS

The issuance of the DEQ "No Further Action" (NFA) letter is dependent upon the adherence to the following institutional controls and the full compliance by the current and future owners with all institutional controls described below. Failure to comply with any or all of the controls will result in the revocation of the NFA.

- **No use shall be made of groundwater located beneath Subject Property by extraction through wells or by any other means.**

- **At such time as land use changes are planned whether by remodeling, replacement or any other manner, soil samples must be collected and analyzed, and a current risk assessment made, to ensure the adequate protection of human health related to the new uses of the property. Results of soil sample collection and analysis, and the risk assessment, must be provided.**

Based on the results of the site investigation, current conditions, and under reasonable possible future land use conditions, the remaining volume of impacted soil and groundwater has been adequately defined, and the risks, both current and future, have been evaluated and interpreted as being acceptable.

The Department's approval to leave the remaining soil and groundwater contamination is based on the site conditions described in the report as they exist today. You are also responsible for notifying potential purchasers of the property about this remaining contamination.

The Department's determination will not be applicable if new or undisclosed facts show that the cleanup does not comply with the referenced rules. The department's determination also does not apply to any conditions at the site other than the petroleum hydrocarbon release associated with the USTs specifically addressed in the reports.

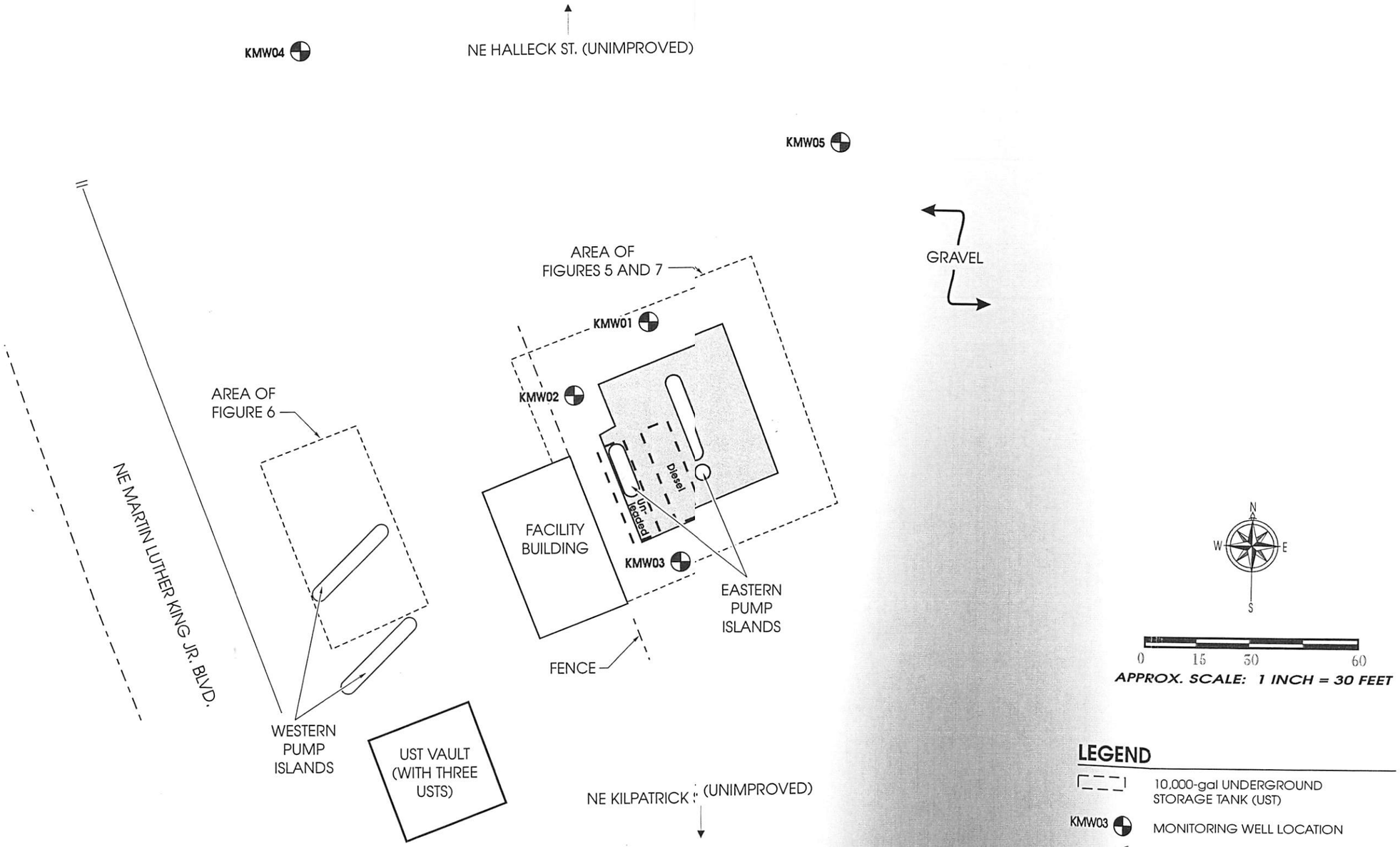
Please note that pursuant to OAR 340-122-360(2), a copy of your report must be retained until ten (10) years after the first transfer of the property. We recommend that a copy of this information be kept with the permanent property records.

Your efforts to comply with the regulations to ensure that your property has been adequately cleaned up have been appreciated. If you have any questions, please feel free to contact me at (503) 229-6155.

Sincerely,

Bijan N. Pour
UST Cleanup Specialist
Northwest Region

cc: Lon Yandell
Kleinfelder, Inc.
15050 SW Knoll Parkway, Suite L
Beaverton, Oregon 97006-6028



REFERENCE: THOMAS WRIGHT, INC. SURVEY, DATED MAY 25, 1994 AND HICKMAN AND ASSOC. SURVEY DATED DECEMBER 30, 1996

KLEINFELDER

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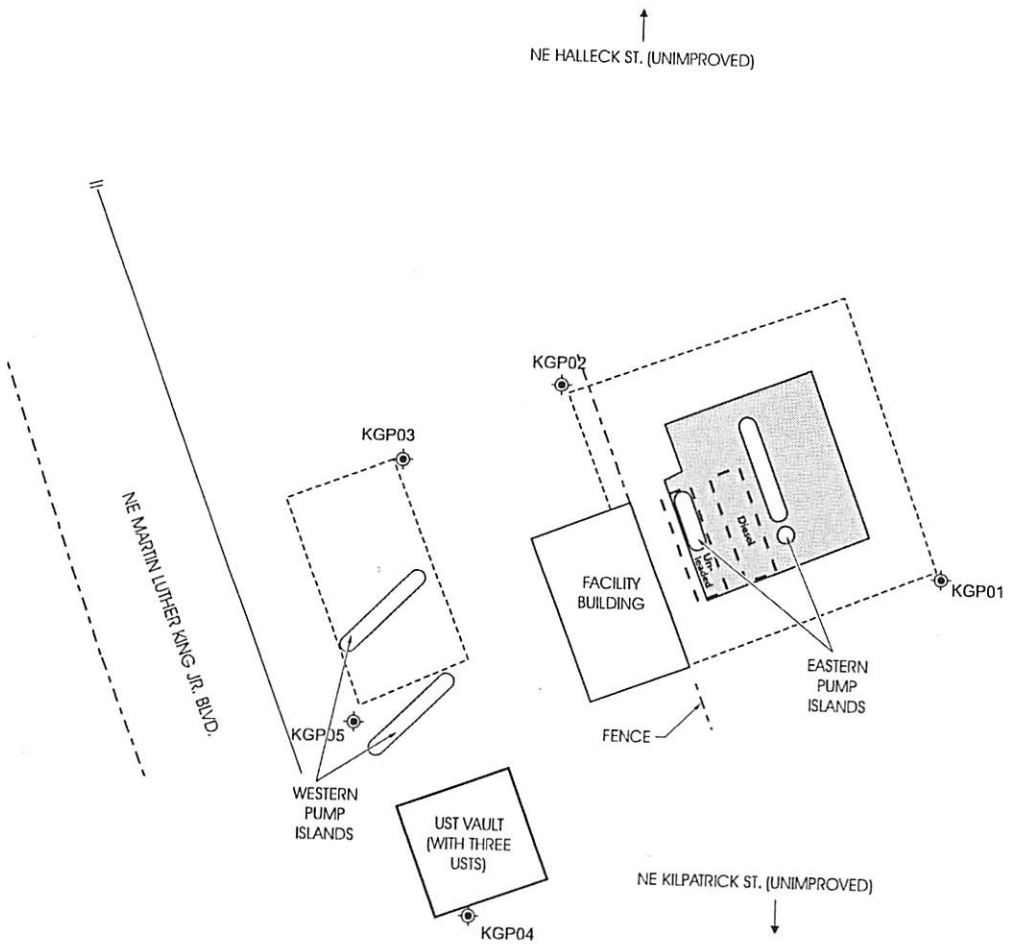
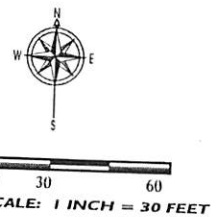
SITE PLAN
TRUAX HARRIS ENERGY, LLC - SITE #264
8100 NE MARTIN LUTHER KING JR. BOULEVARD
PORTLAND, OREGON

Project # C60-5096-01

FIGURE 2





LEGEND

- 10,000-gal Underground Storage Tank (UST)
- KGP05 — Boring Location
- Boring Location — Concrete Pad

REFERENCE: THOMAS WRIGHT, INC. SURVEY DATED MAY 25, 1994 AND HICKMAN AND ASSOC. SURVEY DATED DECEMBER 30, 1996

KLEINFELDER

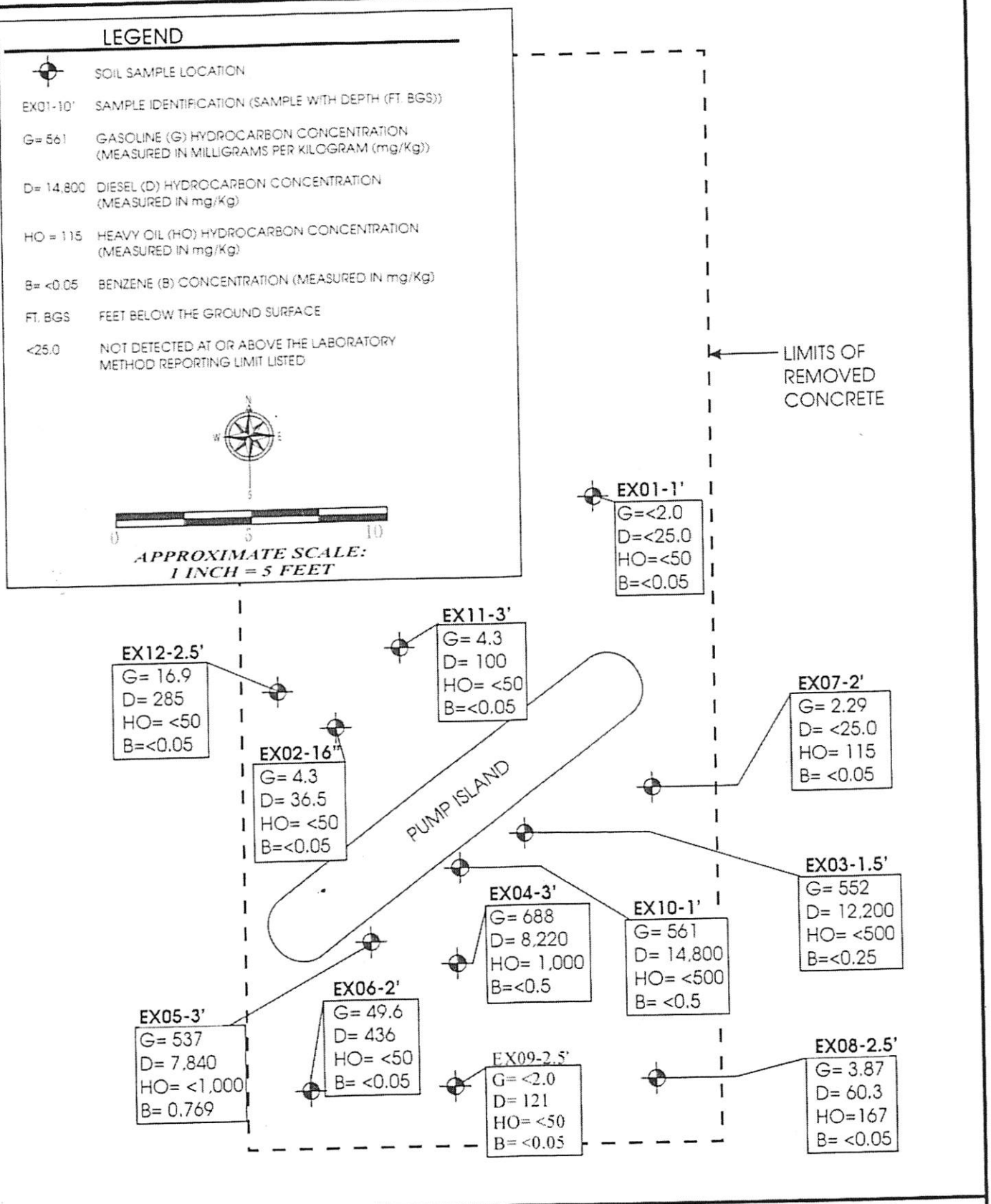
L:\2006\Projects\67809 05/06 TLK

SITE PLAN WITH FOIS
UNION/MLK CARDLOCK
8100 NE MARTIN LUTHER KING JR. BLVD
PORTLAND, OREGON

Project # 67809-264

FIGURE 3

26-06-0761



KLEINFELDER

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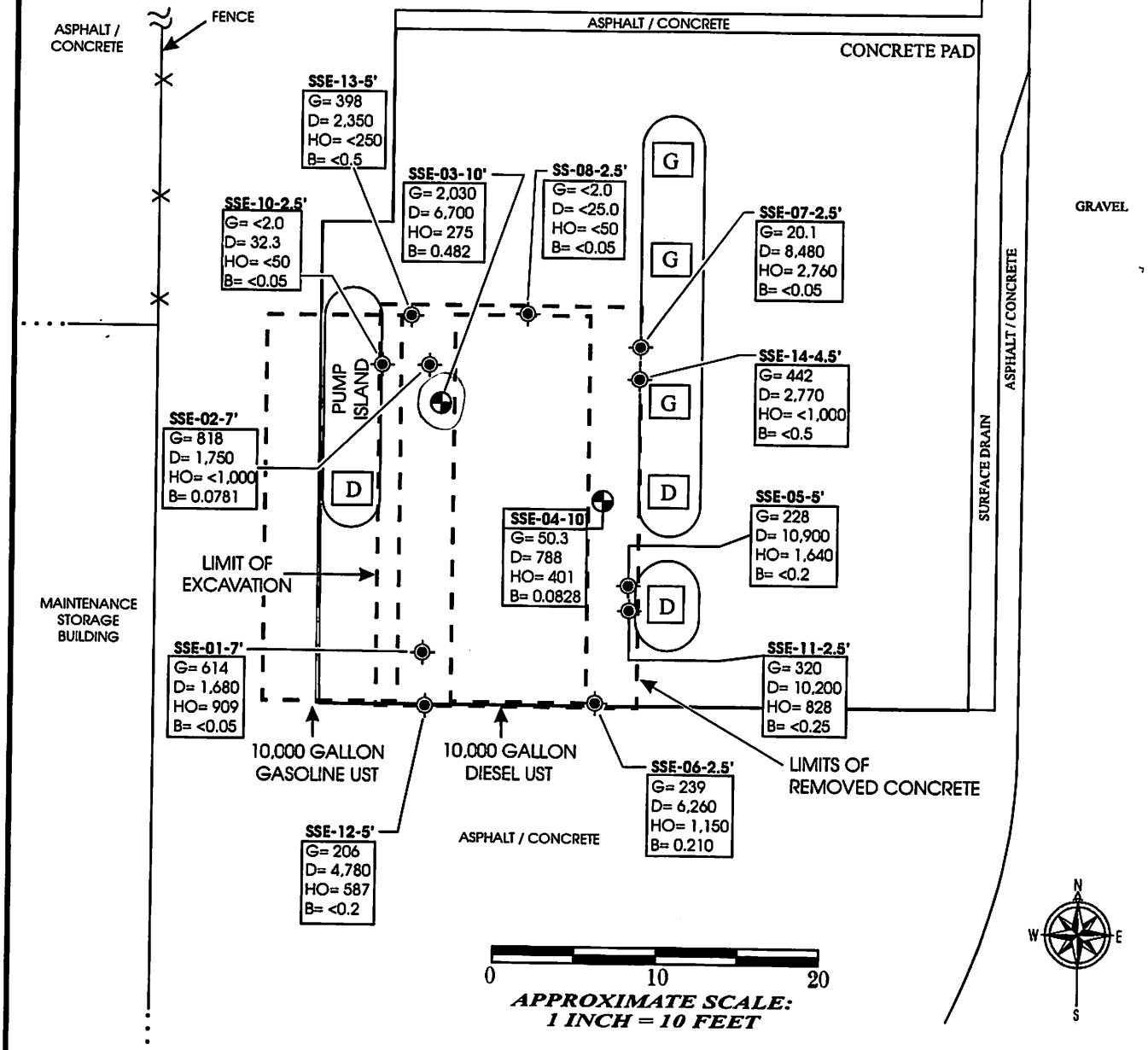
WEST PUMP ISLAND SOIL SAMPLE LOCATION MAP
TRUAX HARRIS ENERGY, LLC-SITE #264
8100 NE MARTIN LUTHER KING JR. BOULEVARD
PORTLAND, OREGON

Project # C60-5096-01

FIGURE 6

LEGEND

- HAND AUGER SAMPLE LOCATION
- GRAB SAMPLE LOCATION
- FT BGS — FEET BELOW THE GROUND SURFACE
- <0.05 — NOT DETECTED AT OR ABOVE THE LABORATORY METHOD REPORTING LIMIT LISTED
- D — DIESEL FUEL DISPENSER
- G — GASOLINE FUEL DISPENSER
- SSE-07-2.5' — SAMPLE IDENTIFICATION AND SAMPLE COLLECTION DEPTH (MEASURED IN FT. BGS)
- G= 20.1 — GASOLINE (G) HYDROCARBON CONCENTRAYION MEASURED IN mg/Kg
- D= 8,480 — DIESEL (D) HYDROCARBON CONCENTRATION MEASURED IN mg/Kg
- HO= 909 — HEAVY OIL (HO) HYDROCARBON CONCENTRATION MEASURED IN mg/Kg
- B= <0.05 — BENZENE (B) CONCENTRATIONS MEASURED IN mg/Kg



KLEINFELDER

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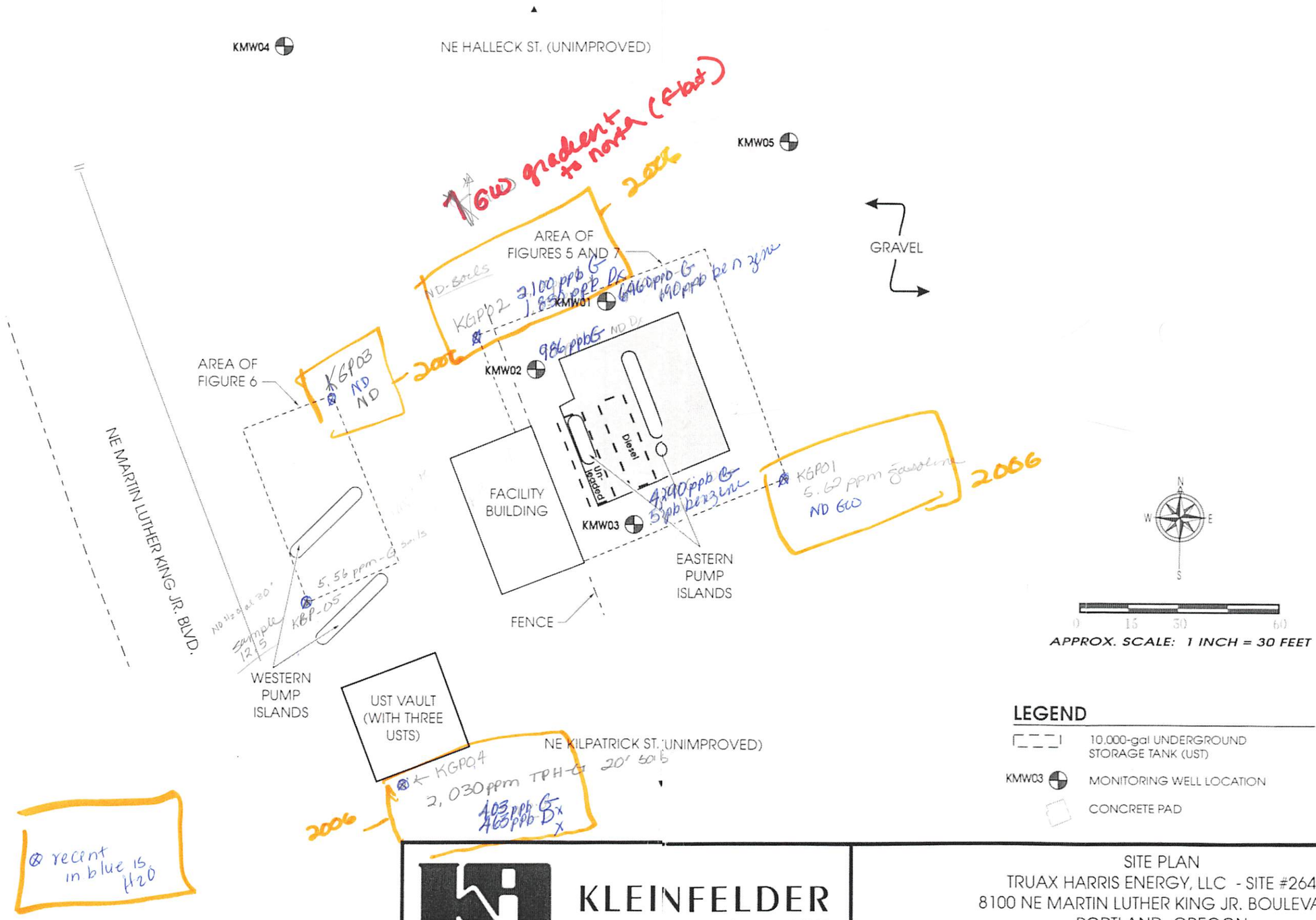
EAST PUMP ISLAND SOIL SAMPLE LOCATION MAP
TRUAX HARRIS ENERGY, LLC-SITE #264
8100 NE MARTIN LUTHER KING JR. BOULEVARD
PORTLAND, OREGON

Project # C60-5096-01

FIGURE 7



REFERENCE: THOMAS WRIGHT, INC. SURVEY, DATED MAY 25, 1994 AND HICKMAN AND ASSOC. SURVEY DATED DECEMBER 30, 1996

KLEINFELDER

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SITE PLAN
TRUAX HARRIS ENERGY, LLC - SITE #264
8100 NE MARTIN LUTHER KING JR. BOULEVARD
PORTLAND, OREGON

Project # C60-5096-01

FIGURE 2

COOK Laurey

From: Reid Kenner [RKenner@kleinfelder.com]
Sent: Monday, November 13, 2006 11:12 AM
To: COOK Laurey
Cc: Mark Underhill
Subject: RE: Project Status

That's great, Laurey. I appreciate you getting back to me so quickly, and I look forward to hearing from you again.

Sincerely,
Reid

>>> "COOK Laurey" <COOK.Laurey@deq.state.or.us> 11/13/2006 10:55:44 AM >>>
Reid, I received your workplan for 7th and Alder, it looks fine.

I sent some Truax files over to my manager for his review and concurrence – the MLK site, the 122nd Ave. site and NW 29th. Once my manager has a chance to review the recommendations I will let you know.

Laurey

-----Original Message-----
From: Reid Kenner [mailto:RKenner@kleinfelder.com]
Sent: Thursday, November 09, 2006 9:30 AM
To: COOK Laurey
Cc: Mark Underhill
Subject: Project Status

Hi, Laurey-

I just thought I'd send you a brief message in regard to a couple of sites that we, as representatives of Truax Harris Energy, LLC, have been awaiting word on from the DEQ. From our last phone conversation, it appeared that the status of these sites was as yet undecided. The intent of this email is to inquire whether a decision on these two sites is any further along or not. The sites in question are as follows:

- Truax-Union/MLK, DEQ LUST No. 26-06-0761
- Truax-SE 122nd Ave., DEQ LUST No. 26-06-0757

If you could please get back to me at your earliest convenience regarding the status of these two sites, I would sincerely appreciate it.

Best regards,
Reid Kenner
Kleinfelder
503-644-9447 o
503-643-1905 f
503-703-5758 c

Oregon
Theodore R. Kulongoski, Governor

Department Of Environmental Quality
Northwest Region - East Side Office
1550 NW Eastman Parkway, Suite 290
Gresham, Oregon 97030
(503) 667-8414
Fax: (503) 674-5148

January 4, 2007

Mr. Larry Duckett
Truax Harris LLC
PO Box 607
Wilsonville, Oregon 97070-0607

Re: Truax Harris site
UST Cleanup File No 26-06-0761
See also 26-94-0044

Dear Mr.Duckett:

Per my letter dated July 28, 2006, I reviewed the archived file for Pacific Pride #264 located at 8100 NE MLK Jr. Blvd. in Portland (file number 26-94-0044). This facility was previously issued a no further action designation (NFA). The Baseline Report for this site (File Number 26-06-0761) indicated that the impacts were consistent with the previously issued NFA. In comparing the new information with that in the closed file, it appears that petroleum impacts at the site may be more widespread than earlier estimated. However, the contaminant concentrations appear consistent with those previously reported, and do not increase the risks previously assessed. The NFA under file number 26-94-0044 notes that if remodeling or construction is performed at the site, additional investigation will be required. This letter does not change the requirements of the previously issued NFA, but updates the information to show an expanded area of impact.

According to the Kleinfelder report dated April 23, 2003 entitled *Additional Site Characterization Soil Remediation, and Risk-Based Evaluation* (2003 Report), there were petroleum releases at the site at the west and east pump islands. According to the 2003 Report, the soil impacts would likely attenuate with depth and were not anticipated to extend beyond the concrete pad. Additionally, the 2003 Report notes that the groundwater impact is likely confined to the east pump island.

During recent site investigation activities, petroleum impacts were detected in soil and groundwater on the west side of the property, south of a UST vault (KGP-04), in an area not previously investigated. Concentrations of 2,030 part per million (ppm) total petroleum hydrocarbons (TPH) in the gasoline range and 0.587 ppm benzene were detected in soils at a depth of 20 feet below ground surface. Additionally, groundwater in this sample location contained concentrations of 430 parts per billion (ppb) TPH in the gasoline range and 436 ppb TPH in the diesel range. Historic groundwater monitoring at the site indicates that the groundwater gradient, while relatively flat, is generally to the north. These detected impacts are up-to cross-gradient of the wells previously monitored at the site. Impacts were also detected at

the east pump island (KPG02) during the recent investigation. However, the impact detected at KPG02 appears consistent with the previously reported contamination.

The recent investigation does not show an increased risk from that assessed in the September 22, 2003 NFA issued for the site (No. 26-94-0044), but the impact at KGP-04 indicates that the petroleum release may have been more widespread than previously reported. Because the sampling does not show an increase in risk and the previously issued NFA requires additional investigation if site conditions should change, no further investigation is required at this time. The NFA file will be updated to contain the current information. The file will be administratively closed once the invoices for the UST file number 26-06-0761 are paid.

Please feel free to call me in the Northwest Region Eastside office in Gresham at 503-667-8414 extension 55007

Sincerely,

Laurey Cook

Laurey Cook, Natural Resource Specialist
UST Cleanup and Compliance Section
NWR Tank Program

llc:LLC

cc: Reid Kenner/ Mark Underhill
Klienfelder
15050 SW Koll Parkway
Beaverton, OR 97006

UST CLEANUP TELEPHONE USE REPORT

CALL FROM/TO: Red Kenner DATE: Oct 4, 2006

WITH: Kleinfelder TIME: _____

TELEPHONE NO: ( ) -

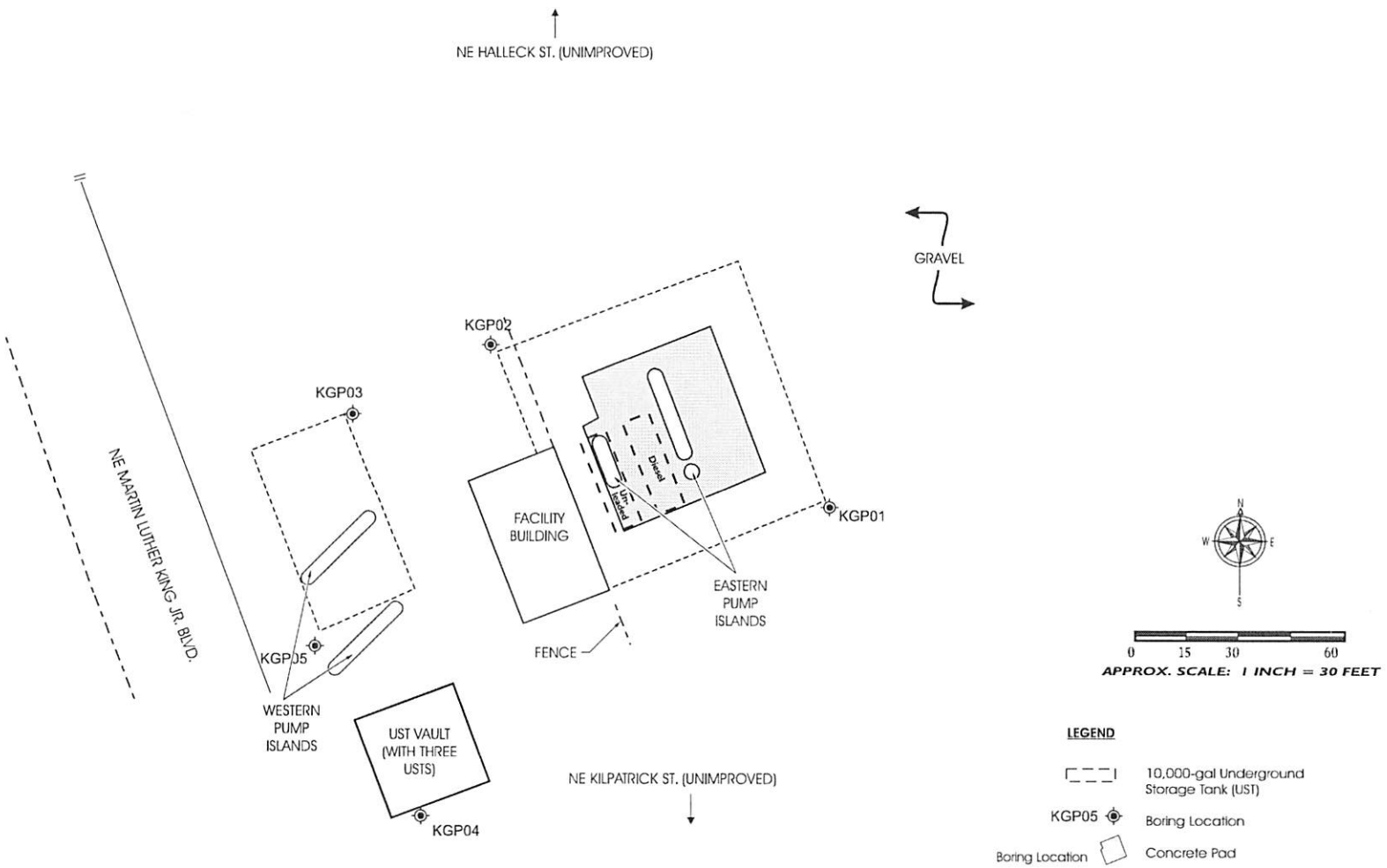
REGARDING: MLK site

FILE NO: 26-06-0761

SUMMARY OF CALL

I updated Red on status of site - clarifying that boring with impacts was in an area not previously investigated - however the impacts were not above RBCs previously assessed - Draft letter sent to Troy manager for review and to see if this is appropriate - or if he thinks further investigation is warranted.

Laurey
Staff Signature



REFERENCE: THOMAS WRIGHT, INC. SURVEY DATED MAY 25, 1994 AND HICKMAN AND ASSOC. SURVEY DATED DECEMBER 30, 1996

KLEINFELDER

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SITE PLAN WITH FOIS
UNION/MLK CARDLOCK
8100 NE MARTIN LUTHER KING JR. BLVD
PORTLAND, OREGON

Project # 67809-264

FIGURE 3

26-06-0761

Oregon
Theodore R. Kulongoski, Governor

Department Of Environmental Quality
Northwest Region - East Side Office
1550 NW Eastman Parkway, Suite 290
Gresham, Oregon 97030
(503) 667-8414
Fax: (503) 674-5148

July 28, 2006

Larry Duckett
Truax Harris LLC
PO Box 607
Wilsonville, Oregon 97070-0607

Re: Truax Harris site
UST Cleanup File Nos 26-06-0757;
26-06-0758; 26-06-0760; 03-06-0855

Dear Mr.Duckett:

I received Baseline Environmental Reports for the Pacific Pride/Truax sites on June 26, 2006. I have reviewed the reports and will need some additional information. I briefly discussed the reports with Mark Underhill with Kleinfelder and indicated that I would require more detailed site figures than those included in the report. The site figures should show individual USTs along with a description of the UST contents, show piping and pump islands, and show the placement of the borings in conjunction with these details. If known, please show the location of former or abandoned tanks, service islands, and piping on the site figures. Additionally, if available please show the locations of utilities and any other information which may be helpful in understanding source areas and preferential pathways. Mark Underhill indicated that he did not perform Phase I assessments at the site, however, if there are existing Phase I reports, I would appreciate copies. The following is a summary of findings for individual sites:

File No. 26-06-0758 Pacific Pride #260 II located at 635 SE 7th Avenue in Portland – Gasoline impacts to both soil and groundwater were detected in one of the four boring locations advanced at the site. Constituent analysis showed benzene concentrations under the Department of Environmental Quality's (DEQ's) generic risk-based guidance, exceed screening levels for the vapor intrusion into building pathway under the occupational usage scenario. Further site characterization and investigation of the extent of impacts to soil and groundwater is required.

File No 03-06-0855 Truax Energy #322 located at 28855 SW Boones Ferry Road in Wilsonville - Impacts of 2,110 parts per billion (ppb) diesel and 1,130 ppb heavy oil were detected groundwater in a boring advanced at the site. Petroleum hydrocarbons were not detected in soil samples. Although the concentrations of contaminants are relatively low, the source and extent of the contamination is not known. Further investigation of the site will be necessary to characterize the impacts.

File No 26-06-0760 Pacific Pride #262 located at 3037 NW 29th Avenue in Portland – Relatively low concentrations of gasoline were detected soil at three of the four boring locations at this site. The impacts were at depths of 18 to 23 feet below ground surface. A low concentration of diesel was also detected in a single location. Further analysis showed low concentrations of primarily diesel related constituents in the groundwater. It would assist me in further evaluating the need for additional work at the site, to obtain a detailed site drawing, and a summary of the tank history if available.

File No. 26-06-0757 Pacific Pride #256 located at 539 SE 122 Avenue in Portland – Heavy oil range total petroleum hydrocarbons at a concentration of 80.2 parts per million (ppm) was detected in a single soil sample at the site at a depth of 20 feet. The report concludes that the petroleum impact detected at the site is not UST related. The DEQ UST database shows that the site has contained USTs since at least 1956. Currently there is not sufficient information to ascertain the source of petroleum impact detected at the site; therefore, the potential for a release from historic UST systems cannot be ruled out. While the isolated sample point contained only a low level of impact, petroleum related contamination is generally not found at this depth from surface sources. Further information regarding the site and site history, including the historic location of USTs, hoists, drywells, and other subsurface discharge points would be helpful in ascertaining potential source areas and whether further investigation will be required under the UST cleanup program. Please note that non-UST releases are handled by DEQ's Site Assessment or Cleanup Programs.

File No. 26-06-0761 Pacific Pride #264 located at 8100 NE MLK Jr. Blvd. in Portland – This facility was previously issued a no further action designation. While impacts were detected in soil and groundwater at the site, the report for this site indicated that the impacts were consistent with the previously issued NFA. I will obtain a copy of the previously closed file and determine if this file can be administratively closed. To assist in this determination, I would appreciate a site figure as discussed in the first paragraph of this letter.

Please contact me by September 1, 2006 regarding your plans for additional work at the sites and/or with site diagrams as described above. If you have any questions, please feel free to call me in the Northwest Region Eastside office in Gresham at 503-667-8414 extension 55007

Sincerely,

Laurey Cook

Laurey Cook, Natural Resource Specialist
UST Cleanup and Compliance Section
NWR Tank Program

llc:LLC

cc: Mark Underhill
Klienfelder
15050 SW Koll Parkway
Beaverton, OR 97006

KLEINFELDER
An employee owned company

TRANSMITTAL

Date: June 21, 2006
Kleinfelder Project No.: C60509601

TO:

Ms. Laurey Cook
Project Manager
Oregon Department of Environmental Quality
Northwest Region Office
2020 SW Fourth, Suite 400
Portland, Oregon 97201

Subject:

Initial (20-Day) Report
Truax Harris Energy #264
8100 NE Martin Luther King Blvd.
Portland, Oregon 97211
DEQ LUST File No. 26-06-0761

We are sending the following:

One copy of the above-referenced report.

Remarks:

If you have any questions, please contact our office at (503) 644-9447.
Thank you.

By:

(FOR)

Reid F. Kenner
Project Manager, Kleinfelder

Oregon Department of Environmental Quality
Underground Storage Tank Program
Initial (Twenty Day) Report Form for UST Cleanup Projects

February 2001

This report is due twenty (20) days from the date of the release.

DEQ USTC File No. 26-06-0761

DEQ Facility ID No. 6569

Site Name: Truax Harris Energy #264

Site Address: 8100 NE Martin Luther King Blvd., Portland, OR 97211

INITIAL CLEANUP INFORMATION

(1) Type of contamination (check all that apply):

X Gasoline X Diesel ___ Waste Oil ___ Heating Oil

X Other (specify) related constituents

(2) Estimate quantity of release (based on information known to date): unknown

___ <100 gal. ___ 100-499 gal. ___ 500-999 gal. ___ 1,000-5,000 gal. ___ >5,000 gal.

SITE INFORMATION (Circle N for "no" or Y for "yes")

(3) N (Y) Did any water enter the excavation? If yes, please describe and identify the depth to groundwater in feet below ground surface: 30.5-33 feet in borings

(4) (N) Y Was a sheen or odor observed on any water in the excavation?

Note: If groundwater is encountered, soil samples from the soil/water interface must be collected and analyzed for BTEX and by the appropriate TPH method.

At sites where diesel or other non-gasoline products have been released, the water may also have to be screened or tested for polynuclear aromatic hydrocarbons (PAHs). *Please refer to OAR 340-122-0218.*

(5) (N) Y Was water pumped from the excavation?

N Y If yes, did groundwater recharge within 24 hours after pumping?

Please describe the pumping procedure and disposal option selected for the purged excavation water:

(6) N (Y) Were any water samples collected from the excavation? If yes, please describe:
Grab groundwater samples from borings

(7) N (Y) Have any soil and/or water sample results been received at this time?
If so, please attach any lab reports. Lab rpt attached

IF GROUNDWATER HAS BEEN ENCOUNTERED, PLEASE ANSWER QUESTIONS #8-13, BELOW.
IF NO WATER HAS BEEN ENCOUNTERED, PLEASE SKIP TO QUESTION #14

(8) What are the known uses of groundwater within a 500-foot radius of the release site?

_X_ non-use ___ industrial ___ agricultural ___ drinking supply

(9) If groundwater in this area is being used as a drinking water supply, please check the type and size of population served by the supply: No known uses of near-surface groundwater for beneficial purposes.

___ Community (community well used for drinking water year round)

size: ___ <1,000 people ___ 1,000 - 5,000 people ___ >5,000 people

___ Intermittent use (public water used for drinking water only on a part-time basis)

size: ___ <50 people ___ 50 - 300 people ___ > 300 people

___ Private wells (individual private well or wells used for drinking water)

size: ___ <10 people ___ 10 - 25 people ___ >25 people

(10) (N) Y Is there any evidence this water supply has been or is likely to be impacted from the petroleum product release? If yes, estimate how difficult it would be to replace the existing supply:

___ bottled water is the only alternative
___ on-site water treatment; bulk water delivery; new wells are available
___ able to connect to existing water supply
___ do not know what alternatives would be available

(11) (N) Y Are/were vapors present in on-site or nearby buildings? If yes:

A. Are you monitoring and/or mitigating any potential fire and safety hazards posed by vapors and free product? Explain: _____

_____

B. Estimate the number of people potentially affected by vapors:

___ 1-2 people ___ 3-10 people ___ >10 people

(12) (N) Y Are vapors or is petroleum contamination present in the utility corridors?

If yes, please explain:

_____

(13) N (Y) Are natural areas located within 1/4 mile of the site? If so, please describe types (parks, rivers, wetlands, sensitive habitats, *etc.*) and proximity: Columbia Slough approximately 1,200 feet north-northeast of the site.

(14) (N) Y If groundwater was not encountered in the excavation, do you believe that this cleanup project can be conducted under the requirements for an UST Cleanup Matrix site? If yes, then refer to OAR 340-122-0305 through 0360.

AREA/SITE CONDITIONS:

(15) Mean annual rainfall: ___ <20 inches ___ 20-45 inches X >45 inches

(16) Soil type(s) of the naturally occurring soils, not the backfill around the tank:

___ clays, compact tills, shales, and unfractured metamorphic and igneous rocks

___ sandy loams, loamy sands, silty clays, clay loams, moderately permeable limestone, dolomite, sandstones, moderately fractured igneous and metamorphic rock

X fine and (silty sands) sands and gravels, highly fractured igneous and metamorphic rock, permeable basalts and lavas, karst limestones and dolomites

SOIL MANAGEMENT

(17) If soil sample results have been received:

(N) Y Will the level of contamination detected require removal of contaminated soil for treatment or disposal?

(18) All contaminated soil temporarily stockpiled on-site prior to treatment or disposal must be contained within a bermed area, kept covered, and the entire area secured to prevent unauthorized access by the public. If you haven't done this, please explain why:
No PCS stockpiled onsite.

Note: It is a violation to stockpile petroleum contaminated soil (PCS) on-site for greater than 30 days without a DEQ Solid Waste Letter Authorization (SWLA) Permit.

(19) If contaminated soil is currently stockpiled on-site, please indicate when disposal will occur or when treatment will begin: PCS (drill cuttings) has been disposed. Disposal receipt attached.

(20) Estimated volume of contaminated soil (specify tons or cubic yards): Two 55-gallon drums

(21) Intended disposition of soils (please check one):

___ On-site/off-site treatment, Solid Waste Letter Authorization Permit Application attached.

___ Thermal treatment off-site at an authorized facility.
Facility name: _____

X Landfill disposal.
Name of Landfill: Hillsboro Landfill, Hillsboro, Oregon

Note: Please attach additional information as necessary to explain any unusual circumstances associated with this project.

This initial report is intended to provide the Department with the basic initial information about activities associated with the release. Future reports should provide a more detailed and complete picture of the cleanup project.

Please be aware that a DEQ permit/authorization is required for the following activities:

1) Soil aeration, bioremediation (on-site or off-site), or on-site thermal treatment.

2) Water discharges to a stream/storm drain from the excavation or treatment tank.

If these activities will be included in your cleanup project, contact the regional DEQ office for the appropriate application forms, information on permit fees and guidance documents.

THIS REPORT WAS PREPARED BY:

Individual: Rafiq KHANDOKER Phone: (503) 644-9447

Company: Kleinfelder

Address: 15050 SW Koll Parkway

Suite L

City: Beaverton State OR Zip 97006

Please return this form to the regional office in which the site is located. Addresses and phone numbers for these offices can be found in the *UST Cleanup Manual*. If you have questions, call the contact person in your regional office.

REMINDER: For non-heating oil tanks, you must submit a UST Decommissioning/ Change-in-Service Report form and a UST Decommissioning Checklist to the appropriate regional office within 30 days of the UST decommissioning. See *UST Cleanup Manual*, for copies.

Failure to do so can result in delays to your project and may result in continued billing for the tank permit fees.

Copies of the *UST Cleanup Manual* and other necessary UST Program forms can be downloaded from the UST Program web site:

http://www.deq.state.or.us/wmc/tank/ust-lust.htm

KEEP A COPY OF THIS REPORT FOR YOUR FACILITY RECORDS

P.O. Box 31100 Portland OR 97231 Call (503) 224-3206 Fax (503) 228-9168

Quotation/Authority to Proceed with Work

Job # 5918

Attn: Reed Kenner From: Arthur Marx Date 5/15/06

Company: S. Kleinfelder Phone 503-644-2447

Job Site: Trux Fuel Stn. // 8160 NE MLK Blvd., Portland, OR 97211 Fax 503-643-1989

Description of Work Transport and dispose of accumulated waste material.

Waste Type	Unit Price		Units Estimated		Total Estimated		Units Actual	Total Actual
Non-HAZ Drill Cutting	$75.00/dr	x	2	= $	150.00	x	1	$ 75
	$	x		= $		x		$
Non-HAZ Decon Water	$75.00/dr	x		= $		x	1	$ 75
	$	x		= $		x		$
	$	x		= $		x		$
	$	x		= $		x		$
	$	x		= $		x		$
Freight	$	x		= $		x		$
Labor	$	x		= $		x		$
Misc.	$	x		= $		x		$

Customer P.O. # _____ Estimated Total Charges $_____ Actual $ 150

C.O.D. Y N Project/Pick-up scheduled for: _____

Comments _____

Please sign below for WasteXpress to proceed with the work as written above and agree to pay the fee, price or rate given for the work. Please sign and return fax to 228-9168. Thank you for your business.

Bill To: Truax Harris Energy LLC

Signature: [signature] Date: 5/25/06

REQUEST FOR WASTE PROFILING AND DISPOSAL APPROVAL

Pg ___ of ___

WASTEXPRESS
P.O. Box 31100 Portland OR 97231 Call 503-224-3206 Fax 503-228-9168

Company / Generator Name: TRUX FUEL STATION

Site Address: 8100 NE MLK Blvd City: Portland State: OR Zip Code: 97211

Telephone: 503-644-9447 Fax: 503-643-1905

Contact Person REED KENNER Title: ___

What is Waste Called?	DRILL CUTTING	WATER	
Process Generating Waste?	SUB SURFACE INVESTIGATION	CLEANING EQUIP.	
Description/Characteristics? fp, pH, sp gr, metals, waste codes, color, composition, etc. or attach an analysis / MSDS	GEN. KNOWLEDGE SEE ATTACHED	GEN. KNOWLEDGE SEE ATTACHED	
Hazardous Waste? Y N	N	N	
Shipping Container Type	DRUM	DRUM	
Volume?			

I EPA ID (if registered) ___

II CEG Certification (sign if applicable)

Oregon State and Federal hazardous waste regulations define a Conditionally Exempt Generator (CEG) as a hazardous waste generator that generates, in one month, no more than 100 kilograms (220 pounds or approximately 25 gals) of hazardous waste, 2.2 pounds of acutely hazardous waste, or 220 pounds of spill cleanup debris containing hazardous waste. Additionally, to be a Conditionally Exempt Generator a generator must not at any time accumulate more than 2200 pounds (approximately 250 gals) of hazardous waste on site. Generators that do not meet these requirements are no longer defined as Conditionally Exempt Generators and must comply with regulations for small quantity or large quantity generators.

Under penalty of law and for the purposes of receiving the benefits of WasteXpress's Conditionally Exempt Generator hazardous waste collection service, I certify my organization complies with all requirements for Conditionally Exempt Generator status. I understand that only the types and quantities of waste(s) listed on the Work Order/Quote and approved by WasteXpress may be disposed through this service.

Signature ___ Date ___

I hereby certify that all information submitted above and attached contains true and accurate descriptions of this waste. I hereby authorize WasteXpress to proceed with submitting waste profiles, wastestream surveys and or waste approval forms on my behalf to secure necessary approvals to dispose of this waste at a hazardous waste treatment, storage, disposal facility (TSDF) or other facility that is permitted and able to manage this waste. This authorization does not obligate me in any way to direct any volume of this waste to any disposal at this time, but may be decided once waste disposal approval has been obtained. I agree to notify WasteXpress if there is any change in the waste stream information as submitted for approval. I also certify that if waste samples were obtained, they were collected according to EPA acceptable methods and the sample(s) were analyzed by a qualified certified laboratory and that the appropriate chain of custody was used.

Signature Jamie Bridgman Date 5/25/06

Printed Name Jamie Bridgman Title Env. Compliance Spec

Please return this completed form by fax to WasteXpress @ 503-228-9168

05/25/06 THU 15:24 FAX 503 64 005 KLEINFELDER 007
May 25 06 03:09p WASTEX, ESS 503-226 168 P.13

ORIGINAL — NOT NEGOTIABLE

Carrier No. 881002

WASTEXPRESS Date 5-23-06

Ugs ____ of ____ (name of carrier) (SCAC)

Called on Delivery Instructions, the notation "COD" must appear before consignee's name or all otherwise provided in Item 440, Sec. 1.

D:
nsignee TRM
reet 11618 N. Lombard
ty Portland State OR Zip Code 97203

From: Shipper TRUX NATIONAL C/O S. KLEINFELDER
Street 8100 NE MLK BLVD
City PORTLAND State OR Zip Code 97211
24 hr. Emergency Contact Tel. No. 503 244 3203

Vehicle Number 007

No. of Units & Container Type	HM	BASIC DESCRIPTION Proper Shipping Name, Hazard Class or UN or NA Number, Packing Group / UN or NA Number, Proper Shipping Name, Hazard Class, Packing Group	TOTAL QUANTITY (Weight, Volume, Gallons, etc.)	WEIGHT (Subject to Correction)	RATE	CHARGES (For Carrier Use Only)
1 Dm 55		SPECIAL WASTE Liquid N.O.S. (DRUM WATER) Non Hazardous	1 Dm	550 LBS		
1 Dm 55		SPECIAL WASTE SOLID N.O.S. (SOIL CUTTINGS) Non Hazardous	1 Dm	855 LBS		

PLACARDS TENDERED: YES ☐ NO ☐

Note — (1) Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property as follows: "The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding ____ per ____."
(2) Where the applicable rate is dependent on the location of the carrier's facility where a release or a waiver declaration by the shipper and the shipper does not release the carrier's facility or cleaning a vessel, the carrier's facility shall be limited to the extent provided by such provisions. See NOTE Item 176.
(3) Commodities requiring special or additional care or attention in handling or stowing must be so marked and packaged as to ensure safe transportation. See Section 2(e) of Item 360, Bill of Lading, Freight Bills and Statements of Charges and Section 1(a) of the Standard Terms and Conditions for a list of such articles.

I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.

Signature

REMIT C.O.D. TO: ADDRESS

COD Amt $

COD FEE: PREPAID ☐ COLLECT ☐ $

TOTAL CHARGES $

FREIGHT CHARGES

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

Signature of Consignor

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is agreed as to each carrier of all or any of said property over all or any portion of said route to destination and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions in the governing classification on the date of shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

SHIPPER S. KLEINFELDER
PER
Permanent post-office address of shipper.

CARRIER WASTEXPRESS
PER
DATE 5-23-06

1

KLEINFELDER
An employee owned company

TRANSMITTAL

Date: June 21, 2006
Kleinfelder Project No.: 67809-264

TO:

Ms. Laurey Cook
Project Manager
Oregon Department of Environmental Quality
Northwest Region Office
2020 SW Fourth, Suite 400
Portland, Oregon 97201

Subject:

BASELINE ENVIRONMENTAL ASSESSMENT REPORT
TRUAX HARRIS ENERGY, LLC
UNION/MLK CARDLOCK
8100 NE MARTIN LUTHER KING BLVD
PORTLAND, OREGON 97211

We are sending the following:

One copy of the above-referenced report.

Remarks:

If you have any questions, please contact our office at (503) 644-9447.
Thank you.

By:

Reid F. Kenner
Project Manager, Kleinfelder

Oregon
Theodore R. Kulongoski, Governor

Department Of Environmental Quality
Northwest Region - East Side Office
1550 NW Eastman Parkway, Suite 290
Gresham, Oregon 97030
(503) 667-8414
Fax: (503) 674-5148

May 24, 2006

Larry Duckett
Truax Harris LLC
PO Box 607
Wilsonville, Oregon 97070-0607

Re: Truax Harris site
UST Cleanup File Nos 26-06-0757;
26-06-0758; 26-06-0760; 03-06-0855

Dear Mr.Duckett:

The purpose of this letter is to inform you that I have been assigned as project manager for a number of recently reported UST cleanup sites in which you are listed as the responsible party contact. The sites are as follows:

File No. 26-06-0757 Pacific Pride #256 located at 539 SE 122 Avenue in Portland;
File No. 26-06-0758 Pacific Pride #260 II located at 635 SE 7th Avenue in Portland;
File No 26-06-0760 Pacific Pride #262 located at 3037 NW 29th Avenue in Portland
File No. 26-06-0761 Pacific Pride #264 located at 8100 NE MLK Jr. Blvd. in Portland; and
File No 03-06-0855 Truax Energy #322 located at 28855 SW Boones Ferry Road in Wilsonville.

After the releases were reported at these sites the Department of Environmental Quality (DEQ) sent you initial report and cost recovery agreement forms. Please send the initial and subsequent reports to Laurey Cook at 1550 NW Eastman Parkway, Suite 290 in Gresham, Oregon 97030.

By law DEQ is required to recover project oversight costs and you will receive invoices for time that DEQ spends reviewing work and site status. To ensure that your UST cleanup sites are not put on a backlog I encourage you to complete cost recovery agreements.

If you have any questions, please feel free to call me in the Northwest Region Eastside office in Gresham at 503-667-8414 extension 55007

Sincerely,

Laurey Cook

Laurey Cook, Natural Resource Specialist
UST Cleanup and Compliance Section
NWR Tank Program

llc:LLC

cc: Reid Kenner
Klienfelder
15050 SW Koll Parkway
Beaverton, OR 97006

Oregon
Theodore R. Kulongoski, Governor

Department of Environmental Quality
Northwest Region Portland Office
2020 SW 4th Avenue, Suite 400
Portland, OR 97201-4987
(503) 229-5263
FAX (503) 229-6945
TTY (503) 229-5471

May 2, 2006

LARRY DUCKETT
TRUAX HARRIS ENERGY LLC
PO BOX 607
WILSONVILLE OR 97070-0607

RE: Pacific Pride #264 II
File No.: 26-06-0761

On May 1, 2006, a release was reported from an underground storage tank (UST) system at your facility located at 8100 NE Martin Luther King Jr. Blvd. in Portland, Oregon. As the responsible party for the facility, you are required to clean up the release according to OAR 340-122-201 through 340-122-360. These rules require cleaning up the soil, groundwater, surface water and any other media contaminated by petroleum to the appropriate standards or demonstrating that the contamination does not pose a risk to human health or the environment. We are looking forward to working with you to bring this site to closure.

An Initial Report Form for UST Cleanup Projects is enclosed. This form needs to be completed and returned to this office within twenty (20) days from the date the release was reported. An outline of additional reporting requirements that includes due dates for submittals is also enclosed. A copy of the UST Cleanup regulations or an application for a letter of authorization for soil treatment will be provided upon request. As the responsible party, you should be aware of the requirements for cleanup, even if you have hired a qualified contractor or consultant to assist you.

Please reference the DEQ File Number listed above in all future correspondence and reports.

By law, DEQ is required to recover project oversight costs. DEQ oversight begins with the initial site characterization and continues through site closure. Oversight includes activities such as reviewing reports, preparing correspondence, answering technical questions, site inspections, and enforcement actions. **You will be receiving an invoice each month for all oversight activities performed to date.**

DEQ's highest priority for oversight are those sites that pose the greatest hazard to human health, safety and the environment. As a result, many lower environmental priority sites will not be reviewed in detail or receive a final "No Further Action" or "closure" letter from DEQ until the higher priority sites are addressed. However, all projects, simple or complex, require at least some oversight. At a minimum, review is conducted to determine the environmental priority of the cleanup project.

For those responsible parties who desire DEQ oversight regardless of environmental priority, we have developed a Responsible Party Priority Site Program. To receive oversight and more effectively schedule your project, you will be asked to sign an agreement requesting priority review and confirming your agreement to pay DEQ oversight costs in a timely manner.

Not entering into the Agreement does not release you from responsibility for investigation and/or cleanup of the contamination, nor does it mean that you are exempt from paying for DEQ oversight costs. Please be aware that there may be a waiting list for assignment to the next available project manager, and that these projects are assigned on a first come, first served basis.

Please read the attached information on the cost recovery and invoice process. We have also included information about the Responsible Party Priority Site Program and an agreement, if you are interested in expediting review of your project. You may contact the Land Quality Division at (503) 229-6635 if you have questions about cost recovery.

Thank you for your cooperation and continued efforts to comply with the regulations. **If you have any questions about the regulations and/or your cleanup project, please call (503) 229-5263 and ask to speak to the Underground Storage Tank Duty Officer.**

Sincerely,

Michael H. Kortenhof, Manager
UST Cleanup and Compliance Section

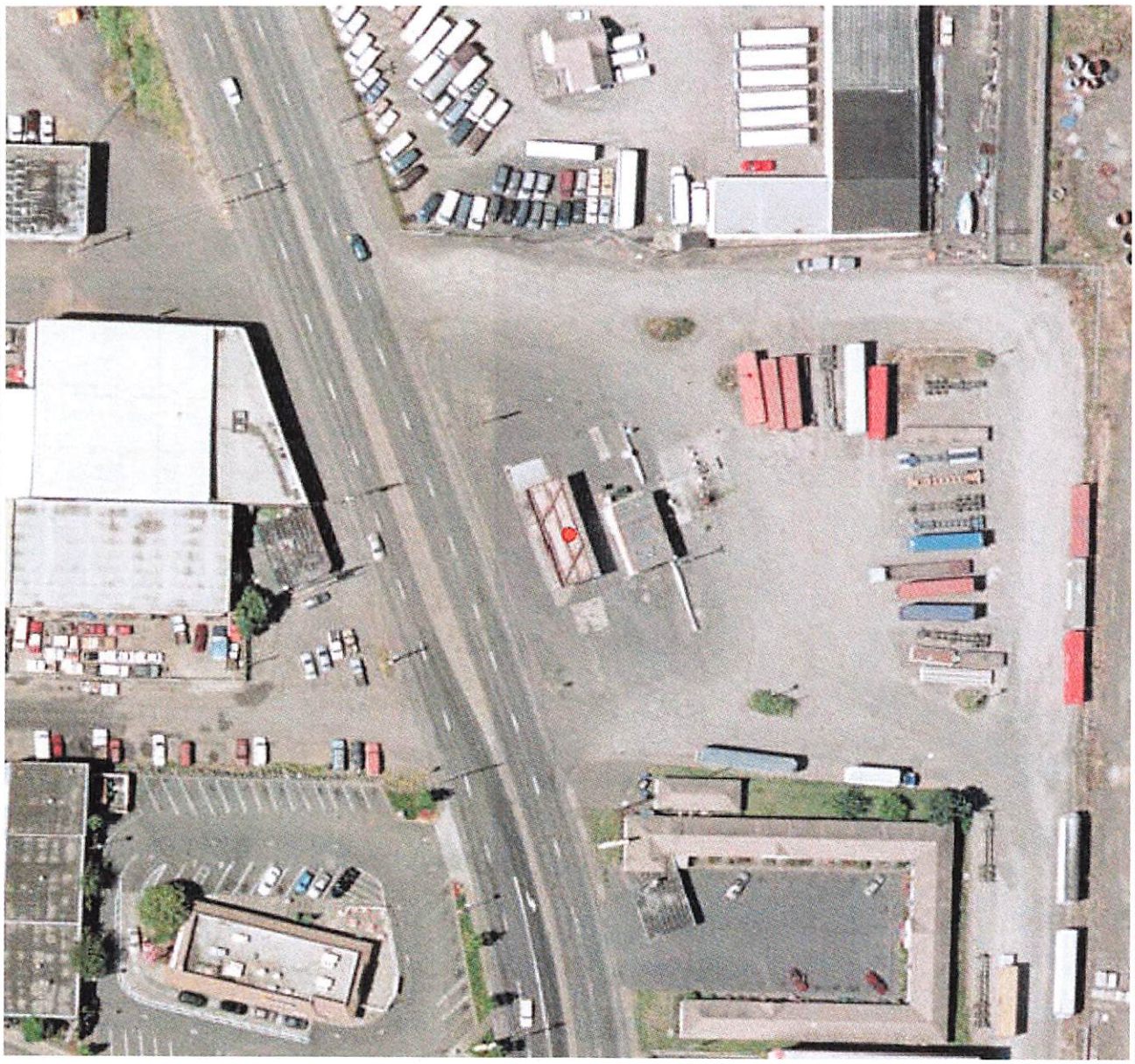
Enclosures

PortlandMaps

8100 NE MARTIN LUTHER KING JR BLVD - SUNDERLAND - PORTLAND

Aerial Photo

2005 / '04 / '03 / '02 / '01 / '00 6" / **2'** / 4' / 10' / 20' Streets: On / **Off** Lots: On / **Off** Dot: **On** / Off



0 — 100 FT

City of Portland, Corporate GIS

5/2/2006

DANA Kevin

From: State of Oregon DEQ
Sent: Tuesday, May 02, 2006 2:43 PM
To: DEQTanksReviewNWR
Subject: OLPRR LUST Tank Start Notification for DEQ Staff

New LUST Incident information submitted to State of Oregon DEQ for review.

Contractor : DEQ
Reported by: KEVIN DANA
Phone Number: 503-229-5369

Site Name: PACIFIC PRIDE #264 II
Site Address: 8100 NE Martin Luther King Jr Blvd
Site City: Portland
Site Zip Code: 97211

Site County: Multnomah
Received by State of Oregon DEQ : 5/2/2006 2:43:10 PM.

Oregon
Theodore R. Kulongoski, Governor

Department of Environmental Quality
Northwest Region Portland Office
2020 SW 4th Avenue, Suite 400
Portland, OR 97201-4987
(503) 229-5263
FAX (503) 229-6945
TTY (503) 229-5471

September 22, 2003

LARRY DUCKETT
TRUAX HARRIS ENERGY, LCC
P.O. BOX 607
WILSONVILLE, OR 97070

Re: TRUAX-HARRIS #264
File No. 26-94-0044
Facility ID No. 6569

Dear Mr. Duckett

The Department of Environmental Quality has completed its review of the information submitted to date concerning a release of petroleum hydrocarbons and the subsequent site investigation conducted at the Truax Harris facility located at 8100 NE MLK Blvd., in Portland, Oregon. The Department has determined that the cleanup appears to have met the requirements of Oregon Administrative Rules (OAR) 340-122-205 through 340-122-360 and that no further action is required at this time.

This determination is a result of our evaluation and judgment based on the regulations and facts as we now understand them, including:

SITE INFORMATION

The subject property is located at 8100 NE MLK Blvd., in Portland, Oregon. Land use coordinates are: Section 11, Township 1 North, Range 1 East. The site encompasses approximately 52,000 ft^2 and is zone commercially. The western half of the property contains a Pacific Pride commercial cardlock fueling facility composed of five (5) USTs and three (3) pump islands.

SITE CHARACTERIZATION

In March 1994, during the upgrade of the stage II recovery system, gasoline and diesel contaminated soil was detected near the east pump islands. A pipe leak was discovered and repaired beneath the east island unleaded fuel dispenser. Gasoline (1,300 ppm) and diesel (20,000 ppm) hydrocarbons were detected at concentrations exceeding the Soil Matrix II cleanup levels of 80 ppm and 500 ppm, respectively. Approximately 12 tons of contaminated soil was transported to TPS Technologies.

In May 1994, three (3) monitoring wells were installed adjacent to the east pump islands. Six (6) soil samples were collected and analyzed using TPH-HCID methods. Analytical results indicated that petroleum hydrocarbons were not detected above method reporting limits (ND). Groundwater samples were collected and analyzed for benzene, toluene, ethylbenzene, and xylenes (BTEX) and polynuclear aromatic hydrocarbons (PAHs). Dissolved benzene was detected in all three (3) wells at concentrations ranging from 0.7 ppb to 180 ppb. PAHs constituents were ND.

In November 1996, two (2) monitoring wells were placed downgradient from the release source. Four (4) soil samples were collected and analyzed using TPH-HCID methods. Analytical results indicated that petroleum hydrocarbons were ND. Groundwater samples were collected and analyzed for BTEX and dissolved lead. Dissolved benzene was only detected in KMW-04 at a concentration of 6.56 ppb. Dissolved lead was ND in both wells.

In February 2000, five (5) soil borings were placed adjacent to the east pump islands. Eight (8) soil samples were collected and analyzed using TPH-Dx methods. Analytical results indicate that diesel (ranging from 363 ppm to 14,100 ppm) and heavy oil (54 ppm to 1,040 ppm) hydrocarbons were detected in collected soil samples. Two (2) samples were further analyzed for VOCs and PAHs. Analytical results indicated that contaminants of concern (COCs) were either ND or detected at concentrations below occupational RBCs for all soil exposure pathways. The exception was benzene which was detected at concentrations (0.592 ppm and 2.54 ppm) exceeding the occupational RBCs for the indoor air volatilization (0.5 ppm) and the leaching to groundwater exposure pathways (0.10 ppm).

In October 2000, approximately 21 tons of contaminated soil was removed from an area adjacent to the west pump island. After completion of excavation activities, twelve (12) soil samples were collected and analyzed for one or more of the following: TPH-Gx, TPH-Dx, VOCs, PAHs, and BTEX. Analytical results indicated that detected gasoline hydrocarbons ranged from 2.29 ppm to 688 ppm. Diesel hydrocarbons were detected at concentrations ranging from 36.5 ppm to 14,860 ppm. PAHs, BTEX, and VOCs constituents were either ND or detected at concentrations below occupational RBCs for all soil exposure pathways. The exception was benzene which was detected at a concentration (0.769 ppm) exceeding the occupational RBCs for the indoor air volatilization (0.5 ppm) and the leaching to groundwater exposure pathways (0.10 ppm).

In November 2000, approximately 74 tons of contaminated soil was removed from an area adjacent to the east pump island. After completion of excavation activities, thirteen (13) soil samples were collected and analyzed using TPH-Gx, TPH-Dx, VOCs, PAHs, and BTEX. Analytical results indicated that detected gasoline hydrocarbons ranged from 20.1 ppm to 2,030 ppm. Diesel hydrocarbons were detected at concentrations ranging from 32.3 ppm to 10,900 ppm. PAHs, VOCs, and BTEX constituents were either ND or detected at concentrations below occupational RBCs for all soil exposure pathways.

COMPLIANCE GROUNDWATER MONITORING

From May 1994 to July 2000, groundwater samples were collected from a five (5) monitoring well network. Historically, KMW01 had the highest concentration (7,250 ppb) of dissolved benzene. From October 2000 to July 2001, four (4) consecutive quarterly monitoring events were completed. Collected groundwater samples were analyzed using one or more of the following methods: BTEX, VOCs, PAHs, and dissolved lead. Analytical results indicate that COCs were either ND or detected at concentrations below occupational RBCs for all groundwater exposure pathways. The exception was benzene (690 ppb) detected at a maximum concentration exceeding the occupational RBCs for the groundwater ingestion (4.3 ppb) and tapwater (1.0 ppb) exposure pathways.

RISK BASED EVALUATION

Land use for the property and the surrounding area is zoned as heavy industrial. Therefore, an occupational receptor scenario was selected for the site and surrounding area is considered appropriate for evaluating potential risk.

In order to determine the usage of groundwater in the local area, a Beneficial Water Use Determination (BWUD) was completed. The nearest surface water body is the Columbia Slough which is located approximately 0.3 miles north. A review of Oregon Water Resources Department (OWRD) records identified three (3) water wells within a ¼ mile radius of the site. The nearest waterwell is located approximately 900 feet northwest of the property. Impact to the offsite wells is considered negligible based on location and distance. A public water service supplies drinking water to the subject site and surrounding properties. Based on the existence of a municipal water supply, poor groundwater quality and low recovery rates, it is highly unlikely that shallow groundwater located beneath and immediately adjacent to the site will be utilized as a future drinking water source. Therefore, the groundwater ingestion and tapwater pathways are considered to be incomplete.

The Conceptual Site Model (CSM) indicates that the applicable soil exposure pathways are volatilization to outdoor air and ingestion/inhalation/dermal contact for occupational and excavation workers. Analytical results indicated that COCs were either ND or were below the occupational RBC for volatilization to outdoor air exposure pathway and the excavation worker RBC for the ingestion/inhalation/dermal contact soil exposure pathway.

The exception was benzo(a)pyrene which was detected at a concentration (0.768 ppm) exceeding the occupational RBC (0.27 ppm) for the ingestion/inhalation/dermal contact exposure pathway. Using site specific conditions, the generic occupational RBC for the ingestion/inhalation/dermal contact exposure pathway was recalculated. Occupational receptors are onsite infrequently for maintenance activities since the commercial cardlock is a computerized facility. The occupational default exposure parameter for the exposure frequency is 250 days/year. A more realistic conservative estimate for the exposure frequency is 60 days. The re-calculated RBC value for benzo(a)pyrene is 1.1 ppm. Thus the maximum detected concentration for benzo(a)pyrene (0.678 ppm) does not exceed the site-specific RBC value of 1.1 ppm

The CSM denotes that the applicable groundwater exposure pathway is volatilization to outdoor air. Analytical results from the last four (4) consecutive monitoring events indicated that COCs were either ND or detected below the occupational RBCs for both the volatilization to outdoor air and excavation worker groundwater exposure pathways.

SITE CONTROLS

The issuance of the DEQ "No Further Action" (NFA) letter is dependent upon the adherence to the following institutional controls and the full compliance by the current and future owners with all institutional controls described below. Failure to comply with any or all of the controls will result in the revocation of the NFA.

- **No use shall be made of groundwater located beneath Subject Property by extraction through wells or by any other means.**

- **At such time as land use changes are planned whether by remodeling, replacement or any other manner, soil samples must be collected and analyzed, and a current risk assessment made, to ensure the adequate protection of human health related to the new uses of the property. Results of soil sample collection and analysis, and the risk assessment, must be provided.**

Based on the results of the site investigation, current conditions, and under reasonable possible future land use conditions, the remaining volume of impacted soil and groundwater has been adequately defined, and the risks, both current and future, have been evaluated and interpreted as being acceptable.

The Department's approval to leave the remaining soil and groundwater contamination is based on the site conditions described in the report as they exist today. You are also responsible for notifying potential purchasers of the property about this remaining contamination.

The Department's determination will not be applicable if new or undisclosed facts show that the cleanup does not comply with the referenced rules. The department's determination also does not apply to any conditions at the site other than the petroleum hydrocarbon release associated with the USTs specifically addressed in the reports.

Please note that pursuant to OAR 340-122-360(2), a copy of your report must be retained until ten (10) years after the first transfer of the property. We recommend that a copy of this information be kept with the permanent property records.

Your efforts to comply with the regulations to ensure that your property has been adequately cleaned up have been appreciated. If you have any questions, please feel free to contact me at (503) 229-6155.

Sincerely,

Bijan N. Pour
UST Cleanup Specialist
Northwest Region

cc: Lon Yandell
Kleinfelder, Inc.
15050 SW Knoll Parkway, Suite L
Beaverton, Oregon 97006-6028

* PETROLEUM RELEASE FORM *

Please Check All That Apply

INCIDENT INFORMATION

RECEIVED BY: (Dept. use only) KPD

LOG NBR: (Dept. use only) 26-06-0761

DATE REPORTED: (today's date) 5/1/06

Otme # 39196

SITE NAME: Pacific Pride #264 II

SITE ADDRESS: 8100 NE Martin Luther King Jr Blvd

☐ NON-REGULATED UST

SITE CITY: Portland ZIP: 97211

☒ REGULATED UST & FAC NBR: 6569

SITE COUNTY: Multnomah PHONE:

☐ HEATING OIL TANK

MAIL CONTACTS

REPORTED BY (person reporting this release to the Dept.)

NAME: Reid Kenner

COMPANY: Kleinfelder

ADDRESS:

CITY: ZIP:

STATE: PHONE: (503) 644-9477

EMAIL:

RESPONSIBLE PARTY (person responsible for remedial action)

NAME: Larry Duckett

COMPANY: Truax Harris LLC

ADDRESS: PO Box 607

CITY: Wilsonville ZIP: 97070-0607

STATE: Oregon PHONE: (503) 682-3865

EMAIL:

INVOICE CONTACT (required, may be same as responsible party)

NAME: Larry Duckett

COMPANY: Truax Harris LLC

ADDRESS: PO Box 607

CITY: Wilsonville ZIP: 97070-0607

STATE: Oregon PHONE: (503) 682-3865

OTHER CONTACT(S) (not required)

NAME:

COMPANY:

ADDRESS:

CITY: ZIP:

STATE: PHONE:

SITE ASSESSMENT

DATE DISCOVERED: 4/25/06 **DATE TANK IS EMPTY:** ___/___/___

CONFIRMATION:

- ☐ SI) STAFF: DEQ
- ☐ LD) LAB: DEQ
- ☒ LR) LAB: RP
- ☐ LO) LAB: OTHER
- ☐ RR) RP REPORT
- ☐ CN) CONTRACTOR
- ☐ OT) OTHER

DISCOVERY:

- ☐ RM) ROUTINE MONITORING
- ☐ DC) DECOMMISSIONING
- ☐ CP) COMPLAINT
- ☐ IC) INVENTORY CONTROL
- ☒ SA) SITE ASSESSMENT
- ☐ TT) TANK TEST
- ☐ OT) OTHER

CAUSE:

- ☐ TL) TANK LEAK
- ☐ PL) PIPE LEAK
- ☐ OF) OVERFILL
- ☐ SS) SURFACE SPILL
- ☐ PV) PUMP/VALVE LEAK
- ☐ OT) OTHER
- ☒ UN) UNKNOWN

CONTAMINANTS

- ☐ UG) UNLEADED GASOLINE
- ☐ LG) LEADED GASOLINE
- ☒ MG) MISC. GASOLINE
- ☒ DS) DIESEL (motor fuel)
- ☐ WO) WASTE OIL
- ☐ HO) HEATING OIL
- ☒ LB) LUBRICANT
- ☐ SV) SOLVENT
- ☐ OP) OTHER PET. DIST
- ☐ CH) CHEMICAL
- ☐ OT) OTHER
- ☐ UN) UNKNOWN

IMPACTS

- ☒ SL) SOIL
- ☒ GW) GROUNDWATER
- ☐ SW) SURFACE WATER
- ☐ DW) DRINKING WATER
- ☐ FV) FACILITY OR BUILDING (VAPOR)
- ☐ FP) FACILITY OR BUILDING (FREE PRODUCT.)

SITE-MANAGEMENT (THIS SECTION DEPT. USE ONLY)

RELEASE STOPPED: ___/___/___

FINAL REQUEST INVOICE DATE: ___/___/___

CLEANUP STARTED: ___/___/___

NO FURTHER ACTION: ___/___/___

NOTES/COMMENTS:

Review Type: NEW | DEQ Office: NWR | First | Last | 9 of 9 Records | Next | Back

OLPRR Review

Contractor Maintenance

Incident Data

Reported By: KEVIN DANA
RepBy Phone: 503-229-5369
Company: DEQ

Lookup LUST | Log Number: 26-06-0761 | Site Type: Regulated | Received Date: 5/2/2006

Site Name: PACIFIC PRIDE #264 II
Street Nbr: 8100 | Qdrnt: NE | Street Name: Martin Luther King Jr | Street Type: BOULEVARD
Other: 8100 NE Martin Luther King Jr Blvd | County: Multnomah | Facility Id: 6569 | Lookup UST
City: Portland | Zip Code: 97211 | Phone:

Mail Contacts

Lookup | Responsible Party

First Name: Larry
Last Name: Duckett
Organization: Truax Harris Energy LLC
Address: PO Box 607
Address2:
City: Wilsonville
State: Oregon | Zip Code: 97070-0607
Phone: (503) 570-3542
E-Mail:

Lookup | Invoice Contact

First Name: Larry
Last Name: Duckett
Organization: Truax Harris Energy LLC
Address: PO Box 607
Address2:
City: Wilsonville
State: Oregon | Zip Code: 97070-0607
Phone: (503) 570-3542
E-Mail:

Site Assessment

Discover Date: 4/25/2006 | Confirmation: Lab:RP | Discovery: SiteAssessment | Cause: Unknown

Contaminants

- [ ] Heating Oil
- [ ] Waste Oil
- [ ] Other Pet. Dist.
- [ ] Leaded Gasoline
- [ ] Unleaded Gasoline
- [ ] Chemical
- [x] Misc. Gasoline
- [x] Lubricant
- [ ] Other
- [x] Diesel (Motor Fuel)
- [ ] Solvent
- [ ] Unknown

Impacted Media

- [x] Groundwater
- [ ] Surface Water
- [ ] Drinking Water
- [ ] Free Product
- [ ] Vapor
- [x] Soil

Accept | Hold | Decline | Close