

DRAFT

## ATTACHMENT B SCOPE OF WORK

This Scope of Work (SOW) describes the measures to be taken by the Respondent in Perspective Purchaser Agreement No. XXXX-XX-XX-XX (“Respondent”) to ensure timely implementation and long-term protectiveness of the work.

### I. DESCRIPTION OF REMEDIAL ACTION

The property for the overall project is a vacant, grass-covered City block (Tax Lot 1N1E27AC 4100 and a portion of Tax Lot 1N1E27AC 1800) bound by N Knott Street to the north, N Williams Avenue to the east, N Russell Street to the south and N Vancouver Avenue to the west.

After purchase, the property will be divided into three parcels and developed by three separate owners as follows:

- A townhome development that will provide affordable home ownership on the northern portion of the block (“Homeownership Parcel”),
- A four-story office building with retail spaces and plaza on the eastern portion of the block (“Black Business Hub Parcel”), and
- A six-story affordable apartment building on the southwest corner of the block (“Affordable Apartments Parcel”).

A site plan showing the Homeownership Parcel, the Black Business Hub Parcel, and Affordable Apartments Parcel is attached (Figure 1).

Respondent completed a Phase II Environmental Site Assessment (ESA) investigation, including: 1) a geophysical survey to identify underground storage tanks (USTs), of which no evidence was found; and 2) soil/fill material and soil vapor sampling and laboratory analysis. The Phase II ESA concluded:

- Fill material was encountered in surface soils (i.e., upper 3.5 feet) across the entire property, and deeper fill material extended to depths of approximately 8 feet and 12 feet below the eastern portion of 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 Soil Ingestion, Dermal Contact, and Inhalation Exposure Pathway Risk-Based Concentrations (RBCs).
- Contamination was not identified in soil vapor samples.

The U.S. Geological Survey estimates the depth to groundwater below the property to be more than 100 feet. Therefore, the soil leaching to groundwater pathway is incomplete.

This SOW is specific to the Homeownership Parcel. The remedial action for the Homeownership Parcel involves the complete removal of fill materials and soils that exceed the applicable cleanup levels to the extent practicable and backfilling with clean fill to establish the necessary grades. If the removal of fill materials and soils results in the complete removal of fill materials and soils that exceed the applicable cleanup levels, then no additional site controls will be needed following remediation. such that no additional site controls will be needed following remediation, and backfilling with clean fill to establish the necessary grades. Remediation of each property will occur during grading of the entire City block (all three properties) at once. Cleanup levels for the Homeownership Parcel are DEQ’s Residential and Construction Worker Soil Ingestion, Dermal Contact, and Inhalation Exposure Pathway RBCs. The lead cleanup level is based on EPA’s revised residential regional screening level of 100 milligrams per kilogram (mg/kg) as required by DEQ. Contaminants above cleanup levels are summarized in Table 1 and the locations of contaminants above cleanup levels in surface and subsurface soils are shown in Figures 2 and 3.

**Commented [TW\*D1]:** Note to Jill - The description of the remedial action here is a little different than the Homeownership parcel. We can make them consistent if desired.

**Commented [JB2R1]:** Wesley - Please let us know if you accept the proposed changes.

## **II. SCHEDULE**

Within 45 days of issuance of the Prospective Purchaser Agreement (PPA), Respondent shall submit for DEQ review and comment a draft schedule for implementing the Scope of Work (SOW) herein. Respondent shall maintain the schedule for submittals and implementation of the SOW activities. The schedule may be revised by DEQ, or Respondent with DEQ's approval.

## **III. DELIVERABLES**

### **A. WORK PLAN**

The Work Plan shall be developed in conformance with this SOW; and as appropriate, any additional guidance documents as published or accepted by DEQ.

The Work Plan shall be prepared for all activities to be conducted and shall include the following items:

1. Description of proposed tasks and activities to be performed.
2. Identification and description of duties, responsibilities, authorities, and qualifications of the personnel involved in the work.
3. Project organization and identification of reporting relationships, lines of communication, and authorities.
4. Summary of the goals, objectives, and cleanup levels of the work.
5. General description of work to be performed.
6. Identification and listing of federal, state, or local laws, regulations, or guidance applicable to or associated with the work and an explanation of how they will be incorporated into the work.
7. Assessment of permitting requirements.
8. Identification of any imported fill material sources and documentation that on-site or imported fill meets the requirements of clean fill.
9. Identification of any off-site disposal facilities and requirements for disposal, if any.
10. Identification and description of any site access agreements required to implement the work.
11. Identification and description of additional sampling, evaluations, or engineering studies required to supplement available technical information.

12. Identification and description of any property, utility, right-of-way, topographic, or other site surveys required.
13. Description of any special design/implementation problems anticipated and how they will be addressed. Include any special technical problems, anticipated community relations problems, access, easements, rights-of-way, transportation, utilities, and logistics problems.
14. Identification and description of institutional controls to be imposed during and/or after construction activities.
15. Description of construction methods and equipment to be used.
16. Procedures for documentation/validation of the work.

**B. SAMPLING AND ANALYSIS PLAN (SAP)**

A draft Sampling and Analysis Plan (SAP) shall be prepared and submitted for DEQ review and comment. A final SAP shall be submitted for DEQ approval addressing DEQ's comments on the draft SAP.

The SAP shall be prepared for all proposed sampling and monitoring activities to be conducted during the work. The SAP shall also address confirmation sampling to be conducted following excavation, treatment or other remedial activity, to verify that the work requirements and specified cleanup levels have been attained.

The SAP shall include, at a minimum:

1. Proposed sampling locations, frequency, parameters, and rationale.
2. A description of sample collection techniques, sampling equipment, sample handling, and decontamination procedures.
3. A description of proposed analytical or test methods.
4. A description of quality assurance and quality control (QA/QC) procedures for both field and laboratory activities, including a data quality objectives plan. For each target compound, compare the method reporting limit and the cleanup level.
5. A description of documentation and data reporting, including a proposed schedule for data report submittals.
6. A description of data analysis and interpretation methods, including statistical methods, sensitivity methods, or mathematical models for:
  - i. Evaluating attainment of remedial action cleanup levels.
  - ii. Evaluating bench or pilot scale tests for full-scale application of the technology.
7. A description of residuals management procedures.

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**C. SITE HEALTH AND SAFETY PLAN**

A site-specific Health and Safety Plan (HASP) shall be prepared to address all field activities to be conducted during the work and shall include construction hazards, chemical exposure hazards, on-site worker safety, and measurement of potential off-site impacts.

The HASP shall be developed in accordance with "Standard Operating Safety Guides," EPA Office of Emergency and Remedial Response, 1988; and applicable standards promulgated by the U.S. Occupational Safety and Health Administration including Hazardous Waste Operations and Emergency Response, 29 CFR 1910.120; General Industry Standards, 29 CFR 1910; and the Construction Industry Standards, 29 CFR 1926.

The HASP shall include at a minimum:

1. Scope and applicability of plan.
2. Identification and responsibilities of key health and safety personnel.
3. Task/operation safety and health risk analysis for each site task and operation, including a description of known hazards and risks and procedures for assessing risks.
4. Personnel training requirements.
5. Personal protective equipment to be used.
6. Medical surveillance requirements.
7. Air monitoring requirements, including types and frequency, and a description of air monitoring methods to be used.
8. Site control measures, including communication, site security, and work zone delineation.
9. Decontamination plan for personnel, equipment, and facilities.
10. Emergency response/contingency plan.
11. Confined space entry procedures, if applicable.
12. Spill containment program.
13. Identification of potential construction hazards and precautionary measures to minimize hazards.

**D. CONTAMINATED MATERIAL MANAGEMENT PLAN (CMMP)**

Any CMMP developed for construction of particular parcels will include a discussion of the purpose of the CMMP, a site description, a summary of findings from previous investigations, contaminated media management for anticipated and unanticipated contaminated media, construction and excavation workers safety, and record keeping.

**E. EASEMENT OF EQUITABLE SERVITUDE (EES)**

Any EES will be recorded for particular parcels with the County after it is approved by DEQ, as necessary. The anticipated or potential land use restrictions are notifications of locations of soils above cleanup levels and maintaining caps over these soils with a hardscape and/or building and/or in landscaped areas with clean fill underlain by a geotextile barrier.

Removal of fill materials and soils exceeding cleanup levels will be completed to the extent practicable within the Homeownership Parcel. DEQ will be consulted if contaminated, inaccessible soils will be left in-place that warrant an EES.

**F. PROJECT COMPLETION REPORT**

At the completion of the remedial action construction phases, Respondent shall conduct a final inspection and prepare a draft Project Completion Report for DEQ review and comment. A final Project Completion Report shall be submitted for DEQ approval addressing DEQ's comments on the draft report. The Project Completion Report shall include, at a minimum:

1. A detailed description of all work conducted in accordance with the approved Work Plan, and certification that the work was performed in accordance with all approved Work Plans.
2. Copy of final permits, as applicable.
3. Results of verification sampling, including data validation, and certification that the required criteria have been attained.

**IV. REPORT DISTRIBUTION**

All deliverables shall be submitted to DEQ electronically. Electronic copies of deliverables shall be submitted in printable document format (pdf) and/or Microsoft Office compatible formats.

Table 1. Summary of Soil Analytical Data Above DEQ or EPA Reference Levels for the Homeownership Parcel

	Unit	OR DEQ Clean Fill Criteria <sup>1</sup> and OR Background Metals for the Portland Basin <sup>2</sup>	OR DEQ RBC Soil Ingestion, Dermal Contact, and Inhalation (Residential) <sup>3</sup>	OR DEQ RBC Soil Ingestion, Dermal Contact, and Inhalation (Occupational) <sup>3</sup>	OR DEQ RBC Soil Ingestion, Dermal Contact, and Inhalation (Const Worker) <sup>3</sup>	OR DEQ RBC Soil Ingestion, Dermal Contact, and Inhalation (Exc Worker) <sup>3</sup>	EPA Remediation Level for Lead <sup>4</sup>	RCRA Hazardous Waste Characteristic Screening Level (mg/L) <sup>5</sup>	12/8/20	12/8/20	12/8/20
<b>Total Metals EPA 6020</b>									B19 6.5-7	C001	C002
Arsenic	mg/kg	8.8	0.43	1.9	15	420	-	-	7.83	13.8	25.7
Lead	mg/kg	28	400**	800**	800**	800**	100	-	102	1,720	98.8
<b>Semivolatiles Organic Compounds by EPA 8270E</b>											
Benzo(a)pyrene	mg/kg	0.11	0.11	2.1	17	490	-	-	-	0.664	-
Dibenz(a,h)anthracene	mg/kg	0.11	0.11	2.1	17	490	-	-	-	0.311	U

**NOTES:**

mg/kg = milligrams per kilogram

mg/L = milligrams per liter

U = not detected above method detection limit shown

ND = not detected

**Bold** denotes concentration above laboratory method reporting limit.

**Color** denotes detected concentration exceeds DEQ RBC screening criteria.

Gray Shading denotes detected concentration exceeds DEQ Clean Fill Criteria.

*Italics and underline* denotes detected concentration exceeds EPA Lead Screening Criteria

\*\* denotes the DEQ RBC for Lead will not be used as the remediation goal. The EPA remediation goal of 100 mg/kg will be used instead.

1 = Oregon Department of Environmental Quality, Clean Fill Determinations, Dated February 21, 2019.

2 = Oregon Department of Environmental Quality, Table 1: Regional Default Background Concentrations for Metals in Soil, revised March 20, 2013.

3 = Oregon Department of Environmental Quality, Environmental Cleanup and Tanks Program, Risk-Based concentration for Individual Chemicals, revised May 2018.

4 = EPA Updated Soil Lead Guidance for Cercla Sites and RCRA Corrective Action Facilities, January 2024. Screening Level of 100 mg/kg selected due to the property's remedial action for residential use.

5 = EPA Maximum Concentration of Contaminants for the Toxicity Characteristic (Table 1).

The leaching to groundwater exposure pathway was removed based on the depth to groundwater at the property (greater than 65 feet).

The volatilization to outdoor air and vapor intrusion into buildings exposure pathways were removed from this table since there were no exceedances.

The remediation level for arsenic is the DEQ Clean Fill Criteria value of 8.8 mg/kg.

Samples analyzed by Apex Laboratories of Tigard, Oregon.

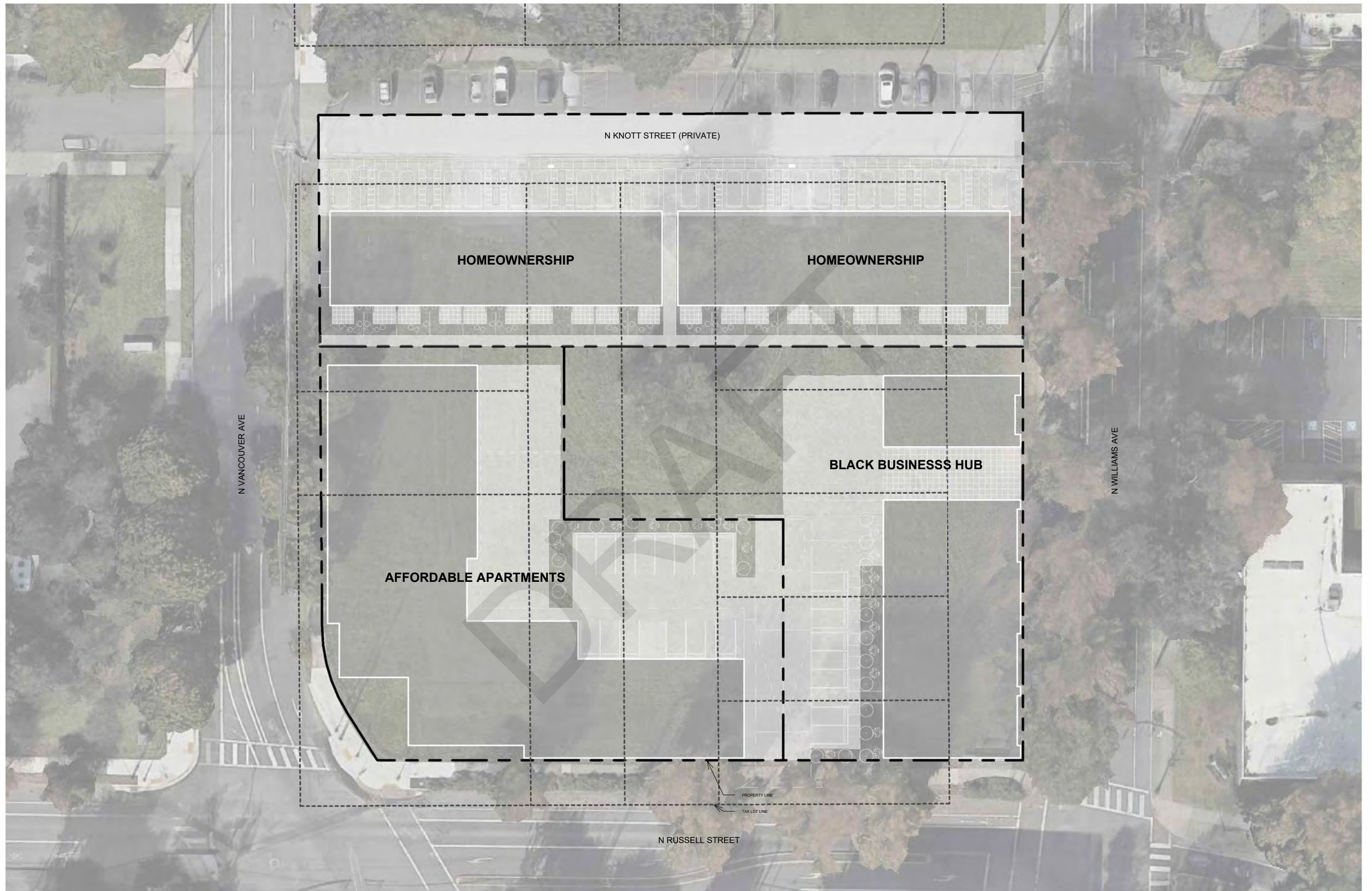
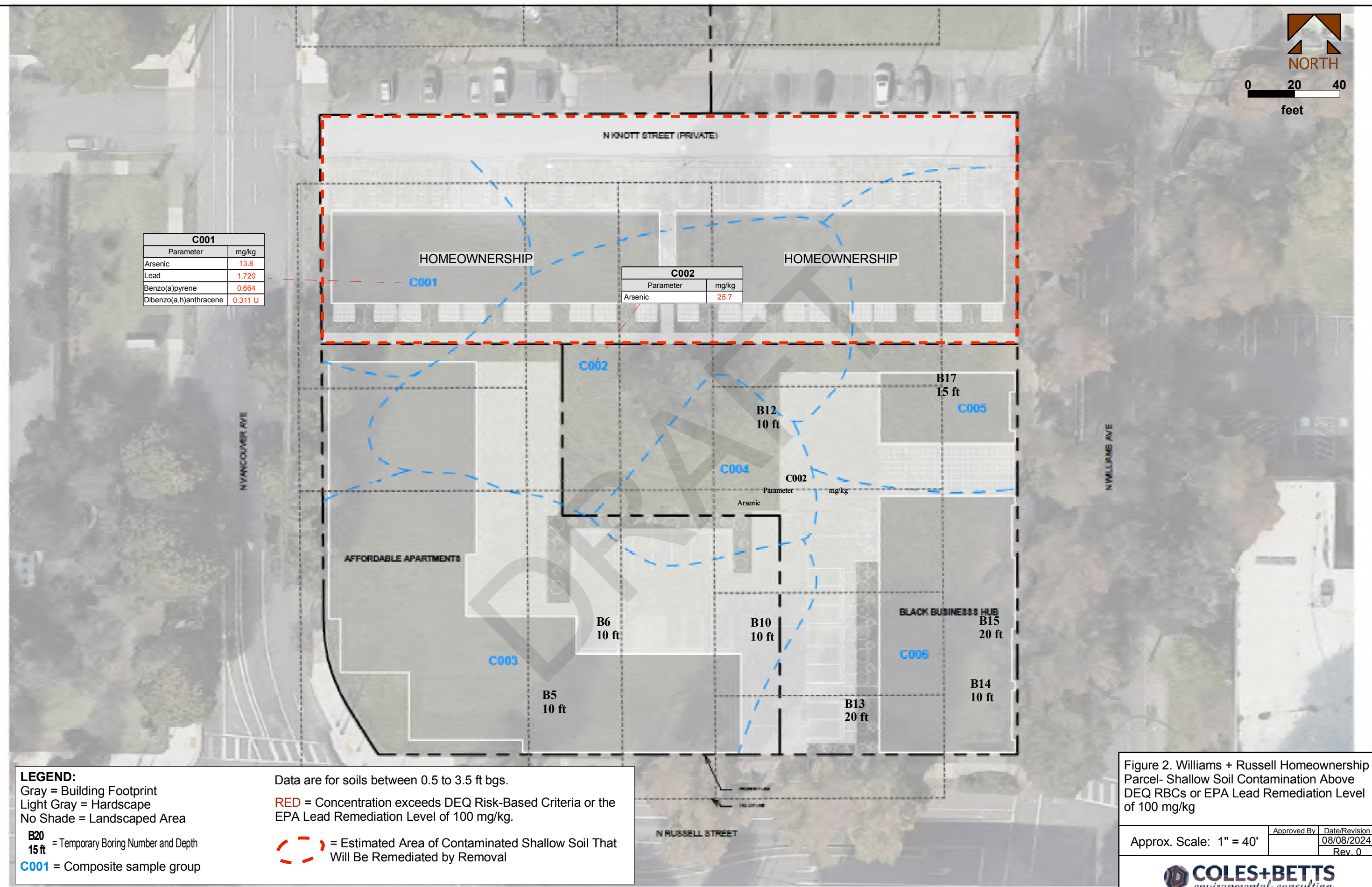


FIGURE 1. SITE PLAN  
 WILLIAMS + RUSSELL HOMEOWNERSHIP



C001	
Parameter	mg/kg
Arsenic	13.8
Lead	1,720
Benzo(a)pyrene	0.664
Dibenzo(a,h)anthracene	0.311 U

C002	
Parameter	mg/kg
Arsenic	25.7



**LEGEND:**  
 Gray = Building Footprint  
 Light Gray = Hardscape  
 No Shade = Landscaped Area

**B20 15 ft** = Temporary Boring Number and Depth  
**C001** = Composite sample group

Data are for soils between 0.5 to 3.5 ft bgs.  
**RED** = Concentration exceeds DEQ Risk-Based Criteria or the EPA Lead Remediation Level of 100 mg/kg.  
**Red dashed line** = Estimated Area of Contaminated Shallow Soil That Will Be Remediated by Removal

Figure 2. Williams + Russell Homeownership Parcel- Shallow Soil Contamination Above DEQ RBCs or EPA Lead Remediation Level of 100 mg/kg

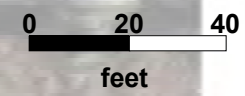
Approx. Scale: 1" = 40'	Approved By	Date/Revision
		08/08/2024 Rev. 0



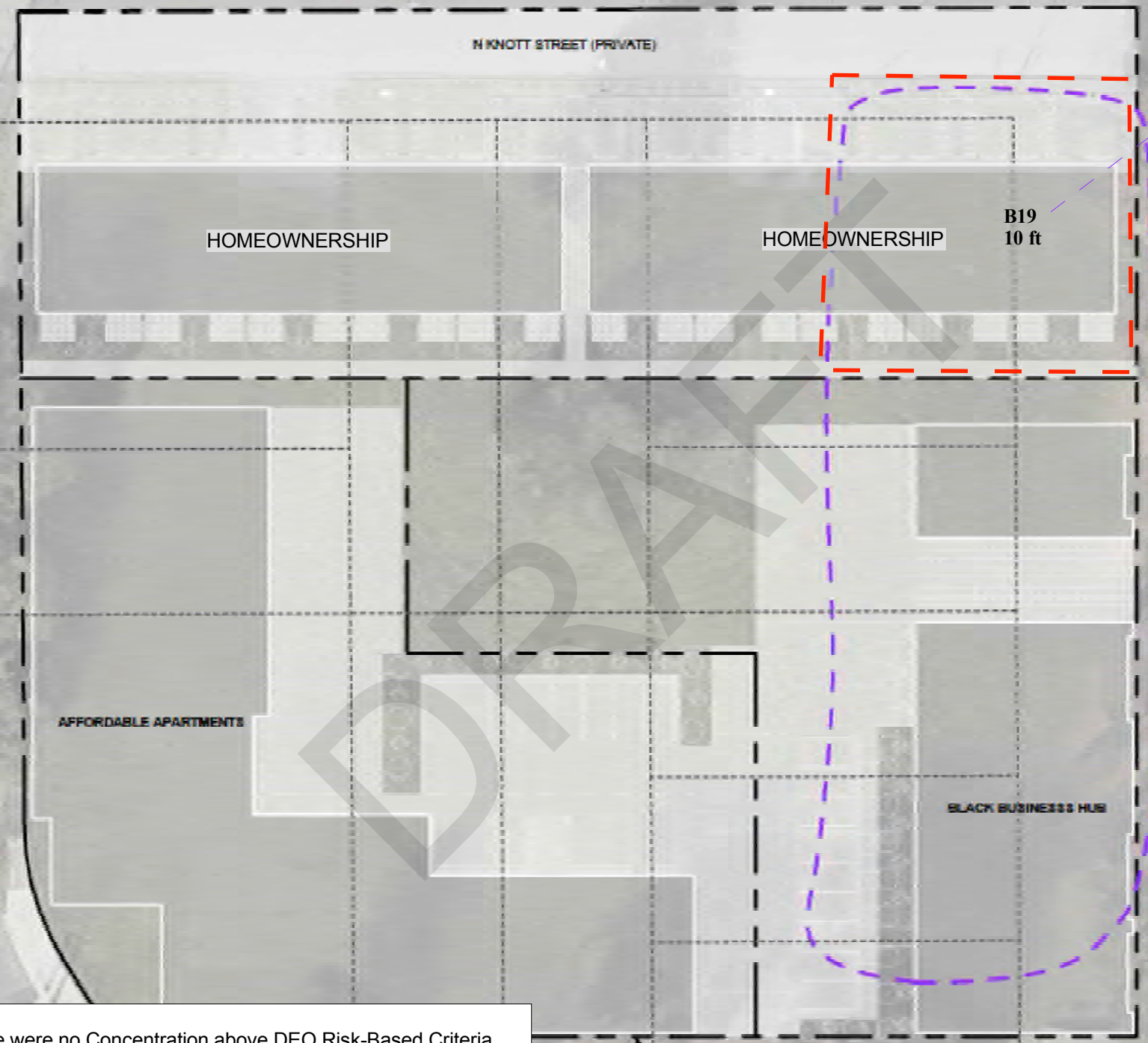
Note: Diagram based on Lever Architecture Site Plan (2024)



NORTH



B19		
ft bgs	Parameter	mg/kg
6.5-7	Lead	102



**LEGEND:**  
 Gray = Building Footprint  
 Light Gray = Hardscape  
 No Shade = Landscaped Area  
**B20**  
**15 ft** = Temporary Boring Number and Depth  
**C001** = Composite sample group

There were no Concentration above DEQ Risk-Based Criteria  
**RED** = Concentration exceeds EPA Lead Remediation Level of 100 mg/kg  
 = Estimated Extent of Fill Remediation by Removal.  
 = Estimated Extent of Fill Between 8 and 12 Feet bgs.

Figure 3.  
 Williams + Russell Homeownership Parcel -  
 Deep Soil Contamination Above EPA Lead  
 Remediation Level of 100 mg/kg

Approx. Scale: 1" = 40'	Approved By	Date/Revision
		8/8/2024 Rev. 0



Note: Diagram based on Lever Architecture Site Plan (2024)