



# Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region

4026 Fairview Industrial Dr. SE

Salem, Oregon 97302

(503) 378-8240

September 10, 2024

Pamela Rae Baker  
16705 Butteville Road NE  
Woodburn, Oregon 97071

RE: No Further Action, *Conditional* Determination  
for Woodburn Exxon II  
LUST # 24-23-0213

Dear Ms. Baker

The Oregon Department of Environmental Quality (DEQ) has completed a review of the available information for the Woodburn Exxon II, including the closure reports entitled Technical Review Memorandum dated January 2023, which were submitted to DEQ by Geosyntec Consultants, Inc. on your behalf. The Woodburn Exxon II is located 2515 Newberg Highway, Woodburn, Oregon in Marion County, Oregon in Marion County Tax Map number 052W12AD18600.

DEQ has determined the investigation to address environmental contamination at the Woodburn Exxon II Property is complete, and no further action is required with conditions through an Equitable Easement and Servitude (EES): 1) No use of groundwater beneath the property, 2) All subsurface work on the property will implement an approved Contaminated Media Management Plan (CMMP).

This determination is based on the DEQ regulations and the facts as we now understand them including the following:

- The current zoning of the Site is for Commercial General (CG).
- The Site was used for agricultural purposes as early as 1936 until at least 1960.
- Sometime after 1960 the site had been developed into the Woodburn Exxon Products gas station and auto repair shop, which operated through 1989.
- A previous No Further Action (NFA) letter was issued in 1989 for an earlier release.
- In 2022, a site investigation (SI) was done as part of a prospective purchase. The SI consisted of 5-borings (B-1, -5). Both soil and groundwater samples were collected from each of the borings.
- Groundwater was sampled from each of the five borings using low-flow groundwater sampling methods and were analyzed for TPH (NWTPH-HCID) and VOCs (EPA method 8260D), with B-2 and B-3 also being analyzed PCBs (EPA method 8082A).
- The results for TPH, VOCs, and PCBs were not detected in any of the soil samples.
- Gasoline range organics (using NWTPH-Gx) were reported in three groundwater samples (B-1, B-3, and B-4) at concentrations ranging from 1,580 micrograms per liter ( $\mu\text{g/L}$ ) to 14,800  $\mu\text{g/L}$ .
- Since the one sample result which is located on the property between Country Club Road and Newberg Highway was above the applicable Risk-Based Concentrations pathways for Construction and Excavation Worker (14,800 mg/Kg/ 14,000 mg/Kg), a Contaminated Media Management Plan (CMMP) will be required prior to any subsurface excavation activities.

- In 2014, the southern portion of the property (approximately 0.15 acres) was sold to ODOT as a part of the Newberg Highway expansion.
- The entire property is covered by asphalt, concrete and limited landscaping and there are no known ecological risks.
- Public notice for comment was issued on July 16, 2024, and closed on July 31, 2024. There were only two comments and only one objection. The objection was evaluated and determined based on the current conditions not to create an unsafe risk.

Based on the available information, conditions at former Woodburn Exxon II are currently protective of public health and the environment in accordance with Oregon environmental cleanup law, ORS 465.200 et seq. and Oregon Administrative Rules 340-122-0205 through 340-122-0360. The site requires no further action unless new or previously undisclosed information becomes available, or there are changes in site development or land and water uses, or more contamination is discovered. DEQ will update the Leaking Underground Storage Tank (LUST) database to reflect this decision. This letter only applies to the releases discussed above. If any contaminated media is encountered in the future, it must be handled and disposed of in accordance with local, state, and federal regulations.

A copy of the Geosyntec Consultants, Inc. closure report supporting this No Further Action decision can be viewed at <https://ordeq.org/LUST24-23-0213>. DEQ recommends keeping a copy of all of the documentation associated with this remedial action with the permanent facility records. If you have any questions, please contact Bruce Scherzinger at 503-378-5038, or via email at [bruce.scherzinger@deq.oregon.gov](mailto:bruce.scherzinger@deq.oregon.gov).

Sincerely,



Brad Shultz, Manager  
Western Region Cleanup Section

Attachment: Figure 3b

ecc: Bruce Scherzinger – Oregon DEQ  
Sean Regain, Geosyntec