

## MEMORANDUM | November 13, 2024

**TO** Erin McDonnell and David Lacey, Oregon Department of Environmental Quality (DEQ)

**FROM** Peter Shanahan, HydroAnalysis LLC (HALLC); Jennifer Hart and Gail Fricano, Industrial Economics, Inc. (IEc)

**SUBJECT** Five Tribe review of “Draft Basis of Design Report, Willamette Cove Upland Facility, Portland, Oregon,” dated September 27, 2024

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This memorandum, submitted on behalf of the Five Tribes,<sup>1</sup> reviews the *Draft Basis of Design Report, Willamette Cove Upland Facility, Portland, Oregon* (BODR) prepared by Apex Companies, LLC (Apex) on behalf of the Port of Portland (Apex 2024).

## Specific Comments

1. In Section 3.3.2.5 and Appendix A, we find the discussions of residual risk difficult to follow. In Figures 8 through 11, rather than describing the blank color code as “No Data,” we recommend describing it as “Excavation to 3 feet” or similar since that is in fact what distinguishes those particular decision units (DUs). We recommend a similar coding for Figures A-1 through A-3. This would also address a discrepancy between Figures 8 through 11 and Figures A-1 through A-3. The first set of figures shows the fully excavated DUs as “No Data,” while the second set characterizes those DUs based on the concentrations in Layer 3 even though Layer 3 will be removed and there are no data below Layer 3. Finally, we recommend the text and figures clarify that the residual risk is what would remain before placement of clean fill, and the risk will generally be much lower following the placement of clean fill and topsoil.
2. In Section 3.3.3, under Step 1, we recommend clarifying that the anticipated area with no cap consists entirely of the areas now covered by concrete slab.
3. In Section 3.3.3, under Step 2, we recommend that the report indicate the anticipated character of the proposed demarcation layer.
4. Section 3.3.4 indicates that imported soil and on-site borrow material will be evaluated to confirm that concentrations of dioxins/furans, metals, polychlorinated biphenyls (PCBs), and polycyclic aromatic hydrocarbons (PAHs) are below cleanup levels. We recommend that consideration be given to testing for per- and polyfluoroalkyl substances (PFAS) on a selective basis. A recent

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<sup>1</sup> The five tribes are the Confederated Tribes of the Grand Ronde Community of Oregon, the Nez Perce Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes of the Warm Springs Reservation of Oregon.

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press report provides context on the potential for PFAS contamination:

<https://www.nytimes.com/2024/08/31/climate/pfas-fertilizer-sludge-farm.html>

## Editorial Comments

5. For Figure 5, due to the formatting of this figure, the green line representing “Preliminary Hot Spot Excavation Depth” seems to show that a very small depth of excavation, something less than 1 foot but greater than zero, would be removed from select DUs (e.g., DU-2, DU-3); however, our understanding is the depth of excavation for these DUs would be zero. We recommend that a clearer depiction of zero-depth excavation be used.
6. Figures 8 through 11 provide a very accessible and informative summary of residual ecological risk. We recommend that Figures A-1 to A-3 be moved to the main text of the report to provide similar information on residual human health risk.

## References

Apex Companies, LLC (Apex). 2024. Draft Basis of Design Report, Willamette Cove Upland Facility, Portland, Oregon, Prepared for: Port of Portland. Apex Companies, LLC. September 27.