



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5696

FAX (503) 229-6124

TTY 711

June 18, 2024

via electronic delivery

Dave Johnson
Peninsula Iron Works
PO Box 83067
Portland, OR 97283-0067

Re: Peninsula Iron Works Investigation Delays
Peninsula Iron Works, ECSI ID# 6480

Dave Johnson:

According to Consent Order Number LQVC-NWR-23-01 (Consent Order) executed by Peninsula Iron Works and the Oregon Department of Environmental Quality (DEQ) on May 22, 2023, the excavation and/or capping of soils contaminated with polychlorinated biphenyls (PCBs) schedule was to be included in the work plan. The *Focused Removal Action Work Plan* (Work Plan) specifies that the sampling of the DU10 and DU10-Plus areas, which would inform the extent of the excavation, would occur within five (5) days of DEQ's approval of the Work Plan. DEQ approved the Work Plan on August 3, 2023. To date this work has not been completed.

DEQ understands that the field activities are dependent on obtaining the necessary permits and access agreements; however, according to the City of Portland's Parks and Recreation Department (the City), the access agreement is ready to be executed but was temporarily put on hold while Peninsula Iron Works' insurance company reviews the Work Plan.

The activities required by the Consent Order are necessary to protect public health, safety and welfare, and the environment. The insurance company's review is not an acceptable reason to delay the field activities and, as specified in Section M(1)(b)(ii) of the Consent Order, failure to perform the work in accordance with the approved work plan's schedule and terms is a violation of the Consent Order. DEQ may consider enforcement actions if the work has not begun by **July 8, 2024**.

If you have any questions, please contact the DEQ project manager, Rebecca Digiustino, at rebecca.digiustino@deq.oregon.gov.

Sincerely,

Kevin Parrett
Northwest Region Cleanup Program Manager

Ec: Thomas Benke, The Environmental Compliance Organization
Gary Vrooman, Oregon Department of Justice
Rebecca Digiustino, DEQ