



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

June 13, 2025

sent via email delivery only

Stuart Bingham
Bingham Companies
3939 NW St. Helens Road
Portland, Oregon 97210

RE: **No Further Action Determination**
Bingham Construction Property
Portland, Oregon
Leaking Underground Storage Tank (LUST) Program No. 26-90-0001

Dear Stuart Bingham:

The Oregon Department of Environmental Quality (DEQ) has completed review of available information for the Bingham Construction property, including the most recent report titled *Supplemental Environmental Site Investigation*, dated April 10, 2025, prepared by Alpha Environmental Services, Inc. The Bingham Construction property address is 3939 NW St. Helens Road, Portland, Oregon, 97210, also described as Tax Lot 00400 on Multnomah County map No. 1N1E19DC (the Site).

DEQ has determined that remedial action to address environmental contamination at the Site is complete, and no further action is required. This determination is a result of our evaluation and judgment based on DEQ regulations and the facts as we now understand them including the following:

- The 1.19-acre Site is improved with two adjoining buildings (3,000 square foot [sf] warehouse and 7,590 sf warehouse and office space), and a 1,650 sf open-sided shed with concrete flooring. The warehouses are used for storage of primarily old construction materials and various motorized vehicles (cars, boats, etc.). A small portion of the office space is used part-time for commercial uses.
- The Site is bordered to the north, south, and east by industrial-use properties, and Forest Park abuts the Site to the west (Figure 1). The Site and adjoining properties are zoned Heavy Industrial (IH) which does not allow residential development. The Site is likely to be used for warehouse or industrial purposes in the foreseeable future given the industrial nature of the area.
- The Site was developed beginning in 1947 and has been occupied by several businesses, including Bingham Construction from 1963 to at least 2010, and has since been used for warehouse storage and limited commercial use of the office space. Two 1,000-gallon and one 10,000-gallon gasoline underground storage tanks (USTs), and one 10,000-gallon diesel UST, were decommissioned by removal in 1990. Approximately 200 cubic yards of gasoline- and diesel-contaminated soils were removed and treated onsite by aeration, and DEQ approved transporting the treated soils to an offsite location for disposition. Groundwater was not encountered or assessed. DEQ issued a No Further Action (NFA) determination for the UST petroleum release in a letter dated April 11, 1995.
- As part of a pending sale of the property, four phases of investigation were conducted from June 2024 to March 2025 in the former USTs area to assess the magnitude and extent of residual soil and/or groundwater contamination. The initial phase included a geophysical survey to delineate the former UST excavations located south of the warehouse/office building. During the investigations, only

gasoline-range petroleum hydrocarbons (TPH-G) were detected. TPH-G was detected at a maximum concentration of 4,370 milligrams per kilogram (mg/kg) in boring D8 at 12 feet below ground surface (bgs) near the former 10,000-gallon USTs and decreased to 142 mg/kg at 20 feet bgs (Figure 2). Low concentrations of risk-based decision making (RBDM) volatile organic compounds (VOCs) were detected in soil samples with the highest levels of TPH-G contamination. The investigations delineated the vertical and lateral extent of soil contamination.

- Petroleum hydrocarbons were not detected in two groundwater samples collected from temporary well points hydraulically downgradient of the two former UST excavations (D9 and D10 in Figure 2). Groundwater levels were measured at approximately 11.5 to 12.6 feet bgs.
- A conceptual site model (CSM) identified the following potentially complete exposure pathways for soil contamination: occupational volatilization to outdoor air and direct contact exposure by construction and excavation workers. The residual concentrations of TPH-G and RBDM VOCs were below generic, risk-based concentrations (RBCs) for these exposure pathways (typically by one or more orders of magnitude), except for a single ethylbenzene concentration of 176 mg/kg that slightly exceeded the RBC of 160 mg/kg for volatilization to outdoor (detected in the sample with the highest TPH-G concentration). Investigation results indicate that this marginal RBC exceedance is isolated and therefore does not represent a regulatory concern.
- There is a low risk of petroleum vapor intrusion into the building at levels of concern based on sub-slab vapor sampling results and Site conditions. Six sub-slab vapor samples were collected in the warehouse and office space of the larger onsite building as a precautionary measure (Figure 2). Vapor concentrations of TPH-G and VOCs were below generic RBCs for the commercial vapor intrusion into buildings exposure pathway (typically by one or more orders of magnitude), except for a TPH-G concentration of 48,700 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) in sample SS1 (in the warehouse) that slightly exceeded the RBC of 40,000 $\mu\text{g}/\text{m}^3$. This sample was collected in December 2025, and follow-up sampling at this location in March 2025 (sample SS3-2) detected TPH-G at 504 $\mu\text{g}/\text{m}^3$. Additionally, Site conditions that minimize the risk of vapor intrusion include: 1) the footprint of the petroleum hydrocarbon source in soil is approximately 30 feet from the building; 2) subsurface soils consist of silt and clay that limit vapor migration; 3) there are no subsurface utilities in the area of concern that could create a preferential migration pathway; and 4) the warehouse is open space with no enclosed areas that could accumulate vapors.
- Future groundwater contamination associated with the UST petroleum release is not expected because the USTs (source of contamination) have been removed, and soil data indicate substantial degradation of petroleum-related constituents has occurred. Notwithstanding, there are no beneficial uses of groundwater on or in the immediate vicinity of the Site, and the area is supplied drinking water by the City of Portland municipal water supply system. The nearest surface water feature is the Willamette River located approximately 0.5 mile to the northeast of the Site.
- Terrestrial ecological receptors from the adjacent Forest Park could potentially enter the site. There is no risk of exposure, however, to the petroleum contamination by ecological receptors primarily because soil contamination is at depths of 12 feet or more. Additionally, the Site is fenced thereby limiting access from Forest Park, and the Site is void of ecological habitat.

Based on the available information, soil and groundwater conditions at the Site are currently protective of public health and the environment in accordance with 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 Your DEQ Online (YDO) database to reflect this decision.

This letter only applies to the release(s) 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.

Documents supporting this No Further Action decision, including the *Supplemental Environmental Site Investigation* report, can be viewed on the Your DEQ Online (YDO) database ([YDO Link](#)). DEQ recommends keeping a copy of all the documentation associated with this remedial action with the permanent facility records. If you have any questions, please contact David Lamadrid at (503) 501-0669 or via email at david.lamadrid@deq.oregon.gov.

Sincerely,

Handwritten signature of Amanda Wozab in cursive script.

Peter Donahower, Manager
Northwest Region Petroleum Cleanup Section

Attachments: Figure 1 – Site Overview Map
Figure 2 – Site Sampling Map

cc: Jim Cooper, Alpha Environmental Services, Inc.
DEQ File, LUST No. 26-90-0001



LEGEND



PROPERTY BOUNDARY

FIGURE 1: SITE OVERVIEW MAP

3939 NW ST HELENS ROAD
PORTLAND, OREGON 97210

NOTES

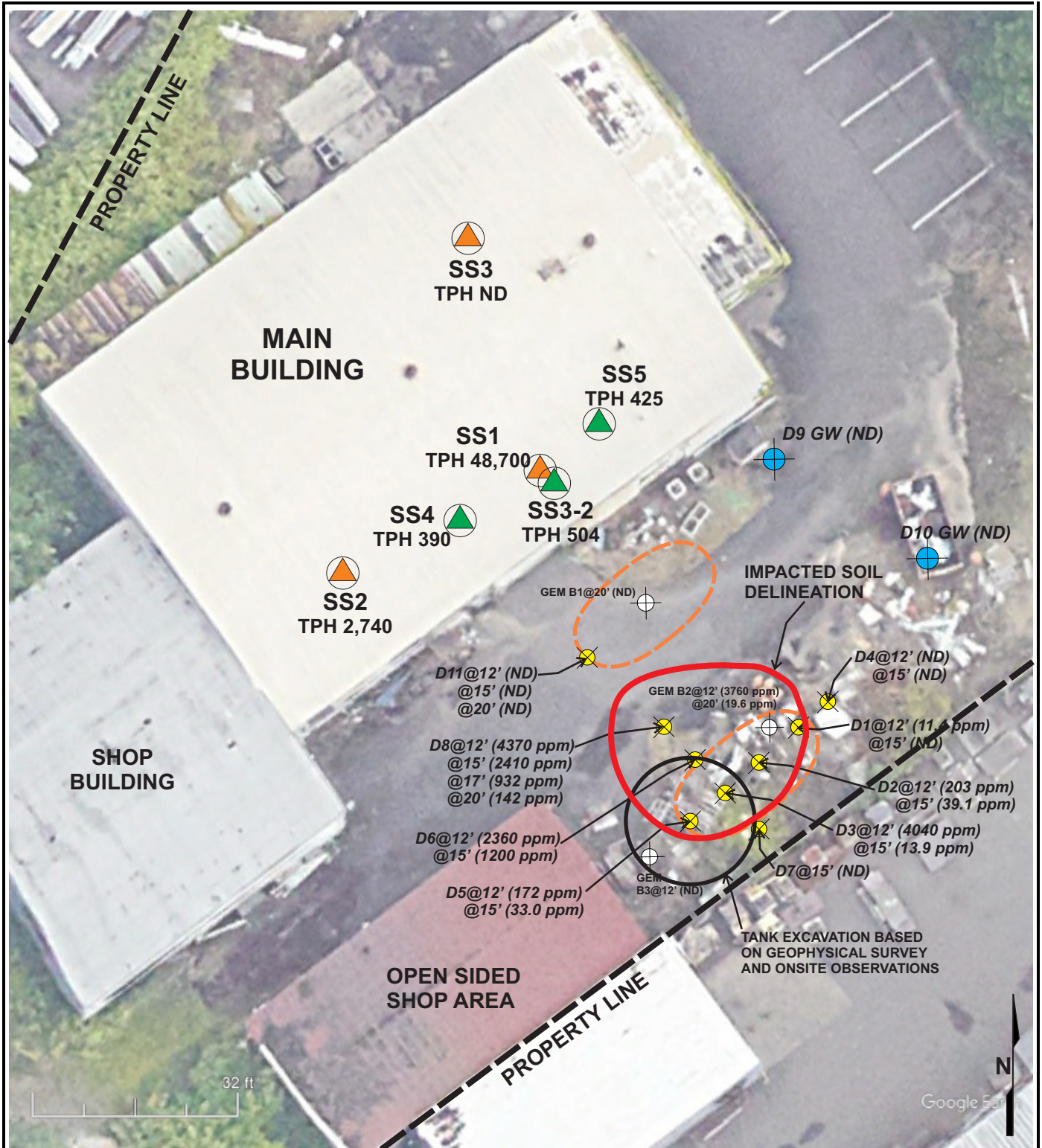
MAP SYMBOLS DENOTE LOCATIONS AND MAY NOT BE TO SCALE

GOOGLE MAPS BASE IMAGE MAY BE SKEWED BY SATELLITE POSITION

PROJECT NO: 24-63060



11080 SW ALLEN BLVD, STE 100
BEAVERTON, OREGON 97005
(503) 292-5346



LEGEND

- ✕ SOIL SAMPLE LOCATIONS
- ⊕ GEM SOIL SAMPLE LOCATIONS
- ⊕ GW SAMPLE LOCATION
- ⬡ SUB-SLAB VAPOR SAMPLE LOCATIONS (DEC 2024)
- TANK EXCAVATION BASED ON GEM MAP
- ⬢ SUB-SLAB VAPOR SAMPLE LOCATIONS (MAR 2025)

FIGURE 2: SITE SAMPLING MAP

3939 NW ST HELENS ROAD
PORTLAND, OREGON 97210

NOTES

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