



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

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September 5, 2025

via electronic delivery

Dave Johnson
Peninsula Iron Works
PO Box 83067
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Re: Submittal of Deficient Revised Work Plans
Peninsula Iron Works, ECSI ID# 6480

Dave Johnson:

On July 25, 2025, the Oregon Department of Environmental Quality (DEQ) requested that the documents titled *Focused Removal Action Conceptual Work Plan* and *Decision Unit EDU01 – Focused Removal Action Work Plan*, submitted on July 11, 2025 by Evren Northwest, Inc (Evren NW) on behalf of Peninsula Iron Works (PIW), be revised to align with the expectations outlined in DEQ's June 5, 2025, comment letter. To date, PIW has not submitted the revised work plans as requested.

Pursuant to Section 7.C.5 of Consent Order Number LQVC-NWR-23-01 (Consent Order), "in the event of two deficient submittals of the same deliverable that are deficient for the same reasons due to Respondent's failure to cure the original deficiency, DEQ may modify the submission to cure the deficiency." At this time, two deficient work plans have been submitted to address the PCB-contaminated soil in the vicinity of the PIW building. DEQ has modified the *Focused Removal Action Conceptual Work Plan* to adequately address the PCB-contaminated soil within decision units DU10, DU10-plus, and EDU01. The DEQ-revised work plan is to be implemented under the Consent Order.

PIW is to provide written agreement to complete the work specified in the DEQ-revised work plan within 5 business days of receiving this letter. If you have any questions, you can contact me at rebecca.digiustino@deq.oregon.gov.

Sincerely,

Rebecca Digiustino
Northwest Region Cleanup Project Manager

Attachment: Removal Action Work Plan (DEQ-revised work plan)

Ec: James Johnson, Peninsula Iron Works
Thomas Benke, Environmental Compliance Organization
Drew Glikbarg, Glikbarg Law
Gary Vrooman, Oregon Department of Justice
Kevin Parrett, DEQ
Katie Daugherty, DEQ
Lynn Green, Evren Northwest
Evan Bruggeman, Evren Northwest

1.0 Introduction and Background

This ~~focused r~~emoval ~~a~~ction ~~conceptual~~-work plan (~~work plan~~~~FRACWP~~) ~~has been~~~~was~~ prepared by EVREN Northwest, Inc. ("ENW") on behalf of Peninsula Iron Works ("PIW") ~~and revised by the Oregon Department of Environmental Quality (ODEQ)~~ in response to an Order on Consent for Removal Action issued by ~~the Oregon Department of Environmental Quality ("ODEQ")~~ dated May 22, 2023 (ODEQ No. LQVC-NWR-23-01). Figures 1 and 2 present a Site Vicinity Map and Site Plan, respectively, showing the general area within Cathedral Park (Decision Unit 10 and 10plus) and ~~along the~~ PIW ~~site~~building (EDU01) in relation to this area. Based on prior investigations conducted by PIW, the City of Portland, and ODEQ, ODEQ has determined that polychlorinated biphenyls (PCBs) are present in surface ~~and subsurface~~ soil ~~adjacent to the PIW building in decision unit EDU01 and~~ within Decision Unit 10-plus and portions of Decision Unit 10 within the City of Portland's Cathedral Park at concentrations that may present unacceptable risk to community members who use Cathedral Park. The Order directs PIW ~~(in part)~~ to conduct a "Removal Action" in accordance with a Scope of Work outlined in Exhibit B to the Order. The Scope of Work includes submission of a "Soil Excavation and/or Capping Work Plan" detailing actions proposed to reduce exposure of community members.

Maul Foster Alongi, investigating on behalf of ODEQ, reported (June 24, 2022) for DU10 a total PCB concentration of 3.45 milligrams per Kilogram (mg/Kg) obtained from one Incremental Sampling Methodology (~~"ISM"~~) sample consisting of 50 soil aliquots obtained on a grid pattern established across the decision unit at depth of two (2) inches below surface grade (following removal of wood chips from sampled location). As part of further characterization of the materials within DU10, ENW requested to subdivide DU10 into several subunits, as outline in ENW's ODEQ-approved work plan.¹

Between July 10, 2024, and September 27, 2024, ENW used the ISM to survey and conduct representative sampling of surface soil within portions of the aforementioned decision unit DU10 area within Cathedral Park identified as decision subunits DU10-a, DU10-b, DU10-c, DU10-d, DU10-e, DU10-f, DU10-Plus-a, and DU10-Plus-b (see Figure 3).² Based on these results, concentrations of total PCBs in surface soil range from 23 mg/Kg (DU10-a) to 0.236 mg/Kg (DU10-e). ODEQ's recreational user risk-based concentration (RBC, 0.52 mg/Kg) is exceeded in ISM surface soil samples collected from decision units DU10-a, DU10-b, DU10- Plus-a, and DU10-Plus-b.

1.1 Consent Order Work Plan Procedures

Exhibit B, Item IV describes the following procedures for a *PCB Impacted Soil Excavation and/or Capping Work Plan*. This ~~FRACWP~~-work plan incorporates all these procedures.

1. A description of the proposed PCB impacted soil excavation and/or capping, which shall include addressing hot spot concentrations and locations in Consent Order Action Areas.

¹ ENW. July 28, 2023. Focused Removal Action Work Plan. N Bradford Street / Union Pacific Railroad Right-of-Way.

² ENW. November 25, 2024. Focused Surface Material Investigation. Decision Units DU10 and DU10-Plus.

2. Access agreements and permitting requirements, including Toxic Substance Control Act (TSCA) compliance with PCB cleanup and disposal.
3. Material management and disposal.
4. Implementation and reporting schedule.

Procedure 1 is included throughout this [FRACWPwork plan](#). Procedures 2 and 3 can be found in Section 3. Procedure 4 can be found in Section 5.

2.0 Objectives and Overview of Proposed Work

The objectives of the scope of work presented in this Work Plan are consistent with those of the Consent Order Work Plan (Exhibit B, Item IV).

2.1 Removal Action Objectives

The removal action objectives for the site are to:

- ~~Protect public health, safety and welfare, and the environment by removal and capping of~~ Excavate and cap PCB-impacted soil at concentrations in excess of ODEQ's recreational user RBC within decision units DU10 and DU10-plus of the Cathedral Park ~~and EDU01 along the PIW building to reduce potential exposure of community members.~~

2.2 Proposed Scope of Work

As described in Section 1.1, the scope of work for this Consent Order Action Area will consist of

- Removal, demarcation, and capping in decision units EDU01, DU10-Plus-a, DU10-plus-b, DU10-a, and DU10-b.

This work scope is discussed further below.

2.2.1 Removal, Demarcation and ~~or~~ Capping

Proposed site work will consist of the following components:

- **Notifications to ODEQ.** Notification of planned work and facilitation of duplicate sampling will be made to ODEQ consistent with the requirements of Consent Order, Section 7(F)(1)-*Notice and Samples*:
 - At least five working days before any excavation, drilling, sampling, or other fieldwork to be conducted under this Work Plan, ~~but in no event less than 24 hours before such activity.~~
- **Characterize soil for disposal.** Soils planned for ~~removal excavation~~ within decision units EDU01, DU10-a, DU10-b, DU10-Plus-a and DU10-~~p~~Plus-b will be profiled for disposal based on the results of the previous *Focused Surface Material Investigation*² and supplemented with additional data, if required.
- **Soil Removal**~~Focused Removal Action.~~ Soils planned for excavation within~~A Focused removal action will be conducted in~~ decision units EDU01, DU10-a, DU10-b, DU10-Plus-a and DU10-plus-b: ~~Removal efforts will be limited to the removal of organics (grass, etc.) within these areas, and the margins of these areas to allow the capping material to be keyed into adjoining non-capped areas. Excavation spoils~~ will be directly loaded onto dump trucks and transported to a licensed disposal facility under an approved soil profile.
- **Demarcation and Capping**~~Backfill and Placement of Protective Cap.~~ Geotextile fabric (brightly colored demarcation fabric) will be placed at the base of the excavations and the excavations backfilled with imported ~~inert rock aggregate~~clean fill soil to provide a physical barrier to prevent exposure to underlying potentially PCB-contaminated soils.

- **Report Preparation.** The results of the work proposed above will be described in a report. At a minimum, the report will include:
 - Document ~~removal and capping~~ methods and procedures used during construction activities.
 - Present pertinent information on maps.
 - Present findings and conclusions of the fieldwork.
 - Identification of data gaps, if any.
 - A photographic log of ~~removal action~~construction activities.
 - Copies of disposal receipts and waste manifests.

During this work, should results indicate a need for additional work, ODEQ will be consulted regarding proposed actions. PIW may elect at any time during or after implementation of this Work Plan to undertake measures beyond those described herein as necessary to address contamination in the areas under investigation. Such additional measures will be subject to prior approval by ODEQ as required at paragraph 5.C. of the Order on Consent.

3.0 Field Methods and Procedures

This section describes the methods proposed to complete the field work described above. All work will be performed by employees and subcontractors trained and licensed to work with hazardous materials. Safety procedures in a site-specific Health and Safety Plan (HASP) will be strictly followed.

3.1 Pre-Field Activities (Including Access Agreements and Permitting)

The following activities will be completed prior to beginning fieldwork:

- ~~• Obtain written approval of this FRACWP from ODEQ.~~
- Obtain all applicable permits (i.e., grading/fill permits, 1200 Series Construction Stormwater General permit, etc., as applicable).
- ~~•~~
- Access agreements to Consent Order Action Areas will be ~~finalized in cooperation with~~ obtained from the City of Portland and Union Pacific Railroad.
- ENW will complete a disposal profile and obtain a disposal permit and manifest for PCB-impacted soil disposal. The management of PCB-impacted soil must comply with the Toxic Substance Control Act.
- Locate utilities in proposed work areas and sample locations by placing a call with Oregon One Call Utility Notification Service a minimum of 48 hours prior to the start of subsurface activities. In addition, a private underground utility locator will be contracted to mark subsurface utilities and clear excavation locations.
- Prepare a site-specific HASP to address potential environmental and physical hazards associated with the proposed field activities. The HASP will establish a worker exclusion zone, personnel and equipment decontamination areas, personnel protection standards and mandatory safety practices and procedures for use during onsite activities. A copy of the site-specific HASP will be presented to all ENW field personnel and their subcontractors. A tailgate safety meeting will be conducted with all site workers, prior to the start of site work each day.
- Notify DEQ of when the fieldwork will be completed at least five (5) days prior to the start of work.

3.2 ~~Focused Soil~~ Removal Action

~~Focused r~~Removal of PCB-impacted surface soil ~~is planned for portions of~~ will occur in decision unit EDU01 and decision subunits DU10-a, DU10-b, DU10-plus-a, and DU10-Plus-b (Figure 3) to the depth where PCB contamination is either below the recreational user risk-based concentration (RBC) of 0.52 milligrams per kilogram (mg/kg) or is at least three (3) feet below ground surface.

~~This removal action is focused such that soil only being removed to ensure placed capping material can be keyed into adjoining areas not subject to removal and/or capping, and to remove organics as necessary prior to the placement of the capping material and underlying demarcation fabric. The estimated area and volume of PCB-contaminated soil planned for removal under this scope of work is presented by area in Table 3-1.~~

Table 3-1. Summary of DU10 and DU10-Plus Removal Details

Item	DU10	DU10-Plus
Description	Area of Cathedra Park southeast, south, southwest, and west of the City pump station, and north of a concrete pathway located within the park	An elongated strip between the railroad right-of-way to the east and Cathedral Park and the City's pump station to the west.
Removal Mitigation Goal	Excavate and cap PCB-impacted soil at concentrations in excess of ODEQ's recreational user RBC in order to mitigate risk from dermal contact with this soil. Capping material to be keyed into areas where mitigation is not needed. Allow capping material to be keyed into areas where mitigation is not needed.	
Proposed depth of removal	0.5 feet bgs at the margin with areas where mitigation is not requested, with a constant slope from this margin inward for three feet to the original land surface.	
Estimate volume of material to be removed	Approximately 30 cubic yards of PCB-impacted soil along with removed grass/organics.	

ENW will supervise the removal of PCB-impacted soil and implement the following general guidelines during work:

- All activities will be conducted under the methods and procedures outlined in the HASP.
- ENW will use marking paint to delineate the boundaries of [EDU01](#), DU10-plus-a, DU10-Plus-b, DU10-a, and DU10-b ~~that are subject to this removal action/capping~~.
- Temporary fencing (i.e., 6-foot-tall cyclone fencing panels tied together) with signage will be erected around the work area to restrict [public](#) access to the areas subject to the removal action.
- After the mitigation area boundaries are lined with marking paint, ~~and before initiating the removal to key in capping material at the non-mitigation margins~~, ENW's contractor will remove wood/bark chips and grass sod within these boundaries ~~and dispose of them as applicable as~~ PCB-impacted media. [The materials will be direct loaded onto dump trucks for disposal.](#)
- ~~All keying in~~ excavation work will be conducted under the oversight of an ENW licensed geologist.

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Cathedral Park Decision Unit 10, Portland, Oregon

- Based on prior analytical results, impacted soils will be excavated to 2 feet bgs in DU10-Plus-a and DU10-Plus-b, and 3 feet bgs in DU10-a and DU-10b.
- Only surficial soil samples (0.2 feet bgs) were collected in EDU01; therefore, the vertical extent of contamination within this decision unit is unknown. Excavation will continue in depth until PCB contamination is either below the recreational user RBC or further excavation would risk structural damage to the adjacent building as determined by a structural engineer.
- Once excavation is completed to the indicated depth in each decision unit, confirmation soil samples will be collected from the final lower limits (the base) of each decision unit excavation area to document residual concentrations of PCBs in soil using incremental sampling methodology protocols, as outlined in Section 3.2.2 of the DEQ-approved *Focused Removal Action Work Plan* submitted for the site by ENW on July 28, 2023.
- In areas where trees or large shrubs are present within the mitigation area, PIW will confirm with the City of Portland Parks and Recreation Department which plants should be kept, and which plants can be removed. For trees or plants that are to remain, ~~no keying in~~ excavations will be conducted around up to the root protection zone (dripline) of the trees so as not to damage the trees. Any roots encountered outside the root protection zone should be cleanly cut and not torn. ~~However, these areas will be~~ Additional requirements related to tree/root protection may be specified in the City of Portland Parks and Recreation Department Non-Park Use Permit. A surficial soil sample (0 to 2 inches bgs) and a one-foot soil sample will be collected from the areas around the trees/plants with residual contaminated soil using a 10-point composite sampling method. The residual soil will be covered by demarcation fabric and capping material prior to backfill (see Section 3.3).
- ~~Excavation spoils will be direct-loaded onto awaiting dump trucks to the extent practicable and transported for disposal under an approved disposal profile to a licensed landfill facility permitted to receive PCB wastes.~~
- ~~Dump trucks will endeavor to remain on gravel-covered surfaces during loading, to the extent practical, and measures, e.g., wheel wash area, will be implemented as needed to ensure no tracking of soil during trucking activities.~~
- ~~Best management practices, including dust control measures, will be employed to maintain a safe environment for workers during excavation of soils. Dust control measures will include the use of water to keep soil moist as necessary, but not saturated.~~
- ~~Copies of the disposal tickets will be retained to document the tonnage of soil removed and disposed of offsite.~~
- A photoionization detector (PID), visual inspection for soil staining, and sheen testing will be used to document removed soils, and the screening results will be recorded in a field notebook.
- Work conducted each day will be documented, including the lateral and vertical extent of progressive keyed in the excavation, field inspection results (e.g., lithology, PID readings, sheen testing, odor, etc.),

the disposition of soils, samples collected, soil stockpiles created and loads of soil hauled offsite.

3.3 Placement of Demarcation Fabric and Excavation Backfill

~~The keyed-in excavation leave surfaces and surrounding mitigation areas of DU10-plus-a, DU10-Plus-b, DU10-a, and DU10-b, and will be overlain with a geotextile fabric (as a demarcation fabric) prior to placing clean-capping material. The demarcation fabric will be non-woven, brightly colored (e.g., orange) and extend across the entire footprint of DU10-plus-a, DU10-Plus-b, DU10-a, and DU10-b. The demarcation fabric will be pinned at the margins of the mitigation area.~~

~~Backfilling will commence as follows:~~

~~A 0.5 foot layer of 6 inch minus crushed gravel will be placed over the demarcation fabric covering the excavated keyways and remaining mitigation areas within DU10-plus-a, DU10-Plus-b, DU10-a, and DU10-b. The rock aggregated backfill will be locally sourced and compacted using available equipment. A geotextile fabric (demarcation fabric) will be installed at the base of the excavation prior to backfill to mark the extent of soil removal. The demarcation fabric will be woven, brightly colored (e.g., orange) and extend across the entire footprints of EDU01 and DU10-plus-a, DU10-Plus-b, DU10-a, and DU10-b. The demarcation fabric will be pinned at the margins of the mitigation area.~~

~~The excavations will be backfilled with clean soil imported from a commercial source to match the prior grade. Soil will meet Oregon clean fill standards. The areas will be restored to current condition (e.g., grass sod, bark or wood chips, etc.).~~

3.4 Waste Management

~~PCB impacted soil will be disposed of at an approved disposal facility in accordance with an approved disposal profile. Spent personal protective equipment (PPE) and minimal decontamination water will be incorporated in and disposed of along with the PCB-impacted soil. Excavation spoils will be direct loaded onto awaiting dump trucks and transported for disposal under an approved disposal profile to a licensed landfill facility permitted to receive PCB wastes. Dump trucks will endeavor to remain on gravel-covered surfaces during loading, to the extent practical, and measures, e.g., wheel wash area, will be implemented as needed to ensure no tracking of soil during trucking activities.~~

~~Best management practices, including dust control measures, will be employed to maintain a safe environment for workers during excavation of soils. Dust control measures will include the use of water to keep soil moist as necessary, but not saturated.~~

~~Contaminated soil will be managed per solid waste and/or hazardous waste rules and disposed of at an Oregon-permitted landfill in accordance with local, state, and federal regulations. Copies of the disposal tickets will be retained to document the tonnage of soil removed and disposed of offsite.~~

4.0 Project and Reporting Schedule

ENW intends for the schedule to be consistent with that outlined in Consent Order Exhibit B, Item I.

Table 4-1. Work Plan Schedule

Item	Schedule (days are calendar days)	Notes
<u>PIW to provide written agreement to complete the work specified in the ODEQ revised Removal Action Work Plan</u>	<u>Written agreement to be submitted within 5 business days of receipt of the revised work plan</u>	<u>Written agreement should be emailed to the ODEQ Project Manager.</u>
<u>PIW and/or ENW to initiate process to obtain necessary access agreements</u>	<u>Within 5 business days of agreeing to complete the work</u>	
<u>Initiation of Soil Excavation</u>	<u>Work to start within 10 business days of receiving approved access agreement.</u>	<u>ODEQ to be notified of any excavation or other fieldwork at least five business days before activity.</u>
DRAFT Focused Removal Action Work Plan to ODEQ	To ODEQ by July 7, 2025	DRAFT Work Plan submitted by July 7, 2025, deadline
ODEQ reviews DRAFT Focused Removal Action Work Plan and provides comments	ODEQ to provide comments within 15 days of receipt	
FINAL Focused Removal Action Work Plan to ODEQ	To ODEQ within 15 days of receiving ODEQ comments	
Initiation of Soil Excavation	Work to start within 10 business days of receiving	ODEQ to be notified of any excavation or other fieldwork at least five working days before

FOCUSED REMOVAL ACTION ~~CONCEPTUAL~~ WORK PLAN

Cathedral Park Decision Unit 10, Portland, Oregon

and Capping in applicable portions of DUIO and DUIO-Plus	written ODEQ approval of FINAL Focused Removal Action Work Plan, approved permits, and soil disposal profile/permit.	activity, but in no event less than 24 hours before activity. The start of field activities will be dependent on receiving necessary permits and subcontractor availability.
Quarterly Progress Reports	To ODEQ by April 10, July 10, October 10, January 10, as applicable	Summarize activities performed and problems encountered or resolved during the past quarter, and activities planned for
PCB Impacted Soil Excavation and/or Capping <u>Removal Action</u> Report	To ODEQ within 45 business days of completion of the removal action	To include all elements of Consent Order, Exhibit B, Item 5(B)

During this work, should results indicate a need for additional work, ODEQ will be consulted regarding proposed actions. All reports will be provided to ODEQ in electronic form. Photographs will be provided in ~~hard copy and~~ original electronic form.