



# Oregon

Dr. John A. Kitzhaber, M.D., Governor

## Department of Environmental Quality

Northwest Region  
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February 12, 2013

Jerry Miesen  
Sunset Fuel Co.  
15500 South Morel Drive  
Oregon City, Oregon 97045

**RE: DEQ Approval of Remedial Investigation and Risk Assessment  
Sunset Fuel/Pacific Pride site  
ECSI 4723 & 4772.**

Dear Mr. Miesen,

The Oregon Department of Environmental Quality (DEQ) approves the *Remedial Investigation Report* presented on your behalf by Feigi Associates, dated August 22, 2012. This document includes human health and ecological risk assessments as appendices. You submitted these documents to DEQ previously in draft form and requested that DEQ provide review and comments. DEQ's previous comments on the draft Remedial Investigation have been adequately addressed in the current submittal.

DEQ agrees with the recommendations of the *Remedial Investigation Report*, namely that a Focused Feasibility Study is necessary to evaluate cleanup options of apparent groundwater hot spots near the site's eastern property line. Similar groundwater hot spot conditions are also present at monitoring well MW-3 at the Pacific Pride fueling station.

DEQ does not concur with the report recommendation to issue a Conditional No Further Action letter for the Pacific Pride fueling station. You requested that remedial action at the Pacific Pride fueling station be postponed until construction of the proposed Portland to Lake Oswego streetcar, previously scheduled to occur in 2015. DEQ has learned from Metro and the City of Portland that the Portland to Lake Oswego streetcar project has been suspended indefinitely. Cleanup of the Pacific Pride fueling station site cannot be tied to streetcar construction.

### **Human Health Risk**

The issue discussed previously of whether groundwater contamination should be assessed on a well-by-well basis versus an area-wide basis is generally determined by site characteristics. The final *Remedial Investigation Report* evaluated the three shoreline wells as a decision unit, separate from the 13 wells more closely associated with the Sunset Fuel/Pacific Pride sites. If the hot spot analysis proposed for the Focused Feasibility Study confirms the presence of hot spots, a cleanup remedy will likely be required given DEQ's preference for treatment of hot spots, rather than a prescribed institutional control for an entire area.

As described in Section 3.1.4 of the DEQ's *Risk-Based Decision-Making for the Remediation of Petroleum-Contaminated Sites* (September 2003, later revised), risk-based screening values do not apply when free product is present. Direct contact with free product is assumed to pose unacceptable risk. From

the groundwater data presented, it appears that hot spot areas at MW-3 and MW-7/MW-8 are highly-concentrated, and meet the mobile and "not reliably contained" criteria.

The revised Human Health Risk Assessment compared groundwater quality in the three shoreline wells against Human Health Ambient Water Quality Criteria for consumption of aquatic organisms and concluded that the groundwater to surface water pathway does not impair beneficial human use of the Willamette River. DEQ is comfortable with this decision and therefore will not require further sampling and analysis of these shoreline monitoring wells.

#### **Ecological Risk Assessment**

DEQ approves of the Ecological Risk Assessment modifications which address DEQ's previous concerns as expressed in our letter to you dated June 4, 2012.

#### **Hot Spot Assessment**

DEQ agrees with the recommendations in the *Remedial Investigation Report* and Human Health Risk Assessment to perform a Hot Spot Evaluation for groundwater in the MW-3 and MW-7/MW-8 areas in the Focused Feasibility Study.

#### **Focused Feasibility Study Remediation Goals**

Please prepare a Focused Feasibility Study to evaluate hot spots and propose remedial options for apparent groundwater hot spots at the MW-3 and MW-7/MW-8 areas of the Sunset Fuel/Pacific Pride sites. Following our review of the Focused Feasibility Study, DEQ will prepare a staff report and Record of Decision document identifying a groundwater hot spot remedy sufficient to achieve the following:

- Bring benzo(a)pyrene into compliance with construction/excavation worker RBCs. The cancer risk to an excavation worker from direct contact with benzo(a)pyrene as reported in site groundwater data exceeds  $10^{-6}$  on a constituent-specific basis
- Control or eliminate separate phase hydrocarbons (free product)
- Demonstrate that plume(s) are stable or decreasing in extent
- Demonstrate that contaminant concentrations are stable or decreasing.

As groundwater plumes at the site appear to be overlapping, DEQ expects that treatment of both plumes, as necessary, will occur concurrently. As noted above, cleanup work must include the Pacific Pride fueling station site.

Please feel free to call me with any questions at (503) 229-6015.

Sincerely,



Kenneth Thiessen  
Northwest Region Cleanup Section

Cc: John Wyatt, Feige & Associates, Inc.  
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ECSI 4723 & 4772