



Oregon

John Kitzhaber, MD, Governor

Department of Environmental Quality

Northwest Region Portland Office

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April 16, 2012

Ms. Paula Miranda
Business Development Manager
Port of St. Helens
P.O. Box 190
Columbia City, OR 97018

Re: **Conditional No Further Action**
Port of St. Helens/Former Pope & Talbot Wood Treating Site – Area 2
1550 Railroad Avenue
St. Helens, Oregon
ECSI #959

Dear Ms. Miranda:

The Oregon Department of Environmental Quality (DEQ) has determined that issuance of a conditional no further action (NFA) for the Port of St. Helens/Former Pope & Talbot Wood Treating Site – Area 2 is protective of human health and the environment. Therefore no additional environmental investigation, risk evaluation, and cleanup of the referenced site is required. This determination is based on DEQ's presentation in the attached DEQ Staff Report, dated November 28, 2008. DEQ provided a 30-day public comment period for review of the proposed conditional NFA between December 1 and December 31, 2008. No objections to the proposal were submitted.

As a condition for issuance of the NFA an Equitable Easement and Servitudes (EES) had to be recorded with Columbia County, Oregon. The EES was recorded on March 13, 2012. DEQ uses an "Easement and Equitable Servitudes" as an Institutional Control to address risk remaining after cleanup or in lieu of further cleanup.

In addition to conditions related to property use, transfer, zoning and cost recovery, the other conditions for the no further action are outlined below.

No groundwater use. No use will be made of the groundwater at the property, including pumping from wells for potable water supply. This condition will not apply to extraction of groundwater associated with groundwater treatment or monitoring activities approved by DEQ or to temporary dewatering activities related to construction, development, or the installation of sewers or utilities at the property.

Waste Management Plan. For activities that include excavation of soil and groundwater extraction on the property, a DEQ approved Waste Management Plan shall be implemented.

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Health and Safety Regulations. Compliance with all Occupational Safety and Health Administration rules and regulations related to work on hazardous substance sites is required.

Erosion Control. Activities to prevent discharge of significant amounts of sediment to surface water or the conveyance system leading to surface water shall be implemented.

Land use restrictions. The following operations and uses are prohibited on the property:

- Residential use of any type;
- Agricultural use for the production of food crops of any type; and,
- Underground injection control systems for stormwater management.

DEQ's determination will be nullified if new or undisclosed facts show that the investigation and cleanup of this releases on this property does not comply with Oregon's environmental laws and regulations. DEQ's determination does not apply to any other environmental conditions at the site, other than the release of the petroleum product specifically addressed in the referenced reports.

Please keep a copy of your reports for at least ten years after the first transfer of the property. DEQ appreciates your efforts to comply with Oregon's environmental regulations and ensure that the hazardous substance releases on this property have been adequately investigated and cleaned up.

Sincerely,



Bruce Gilles
Cleanup Program Manager, Northwest Region

Attachment: DEQ Staff Report, dated November 28, 2008

Cc: Debbie Bailey, DEQ
James Benedict, Cable Huston
ECSI #959 File

