



# Oregon

Kate Brown, Governor

Department of Environmental Quality

Northwest Region

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TTY 711

January 15, 2021

Mark A. Crinnion  
VP-Treasurer & General Counsel  
ACF Industries, LLC  
101 N Clark Street  
Saint Charles, Missouri 63301

**Re: Portland Harbor Superfund Site – Liability for Remedial Action Costs Incurred by Oregon DEQ**

Dear Mark A. Crinnion:

This letter serves to remind and update you of your potential liability for remedial action costs incurred by the Oregon Department of Environmental Quality (DEQ) in connection with releases of hazardous substances at the Portland Harbor Superfund Site (PHSS) in Portland, Oregon. This letter follows demand letters previously sent to potentially responsible parties (PRPs) on December 29, 2008 and January 15, 2019.

DEQ has and continues to incur remedial action costs consistent with its role as Support Agency for in-water cleanup of the PHSS and Lead Agency for source control. Pursuant to ORS 465.200 *et seq.* and CERCLA, you may be liable for DEQ's remedial action costs plus all authorized interest.

Remedial design is underway at almost all of the areas identified for active remediation in the U.S. Environmental Protection Agency's (EPA) 2017 Record of Decision. This work is being completed by performing parties through either an Administrative Settlement Agreement Order on Consent (ASAOC) or Unilateral Administrative Order (UAO) entered into with EPA. EPA will initiate consent decree negotiations following completion of remedial design. DEQ intends to negotiate and include payment of DEQ's outstanding remedial action costs as part of these consent decree negotiations. DEQ reserves the ability to pursue recovery of outstanding costs through court action or settlement outside of an EPA consent decree. Parties are encouraged to consider pursuing early settlement opportunities with DEQ.

A copy of DEQ's December 29, 2008 and January 15, 2019 letters as well as a list of all parties who received this letter are available on DEQ's Environmental Cleanup Site Information website at <http://bit.ly/ECSI-2068>.

If you have questions regarding this letter, please contact me at 503-229-5567 or [Parrett.Kevin@deq.state.or.us](mailto:Parrett.Kevin@deq.state.or.us) or Gary Vrooman at 971-673-1878 or [Gary.L.Vrooman@doj.state.or.us](mailto:Gary.L.Vrooman@doj.state.or.us).

Sincerely,

Kevin Parrett, Manager  
Northwest Region Cleanup Program

*Cc via e-mail:*

Gary Vrooman, Oregon DOJ  
Stephanie Ebright, US EPA  
Caleb Shaffer, US EPA  
Bruce White, Barnes&Thornburg LLP