

Public Notice

Meeting Set on Proposal to Place Dredged Sediments at West Hayden Island

Purpose: The purpose of this notice is to invite you to an informational meeting and to request written comments on the Oregon Department of Environmental Quality's proposal to issue a beneficial use determination for use of dredged sediments as fill at the West Hayden Island placement site.

Meeting details:

Date: Wednesday, Aug. 8, 2018
7 p.m.

Location: Red Lion Hotel
909 N. Hayden Island Drive
Portland, OR 97217

DEQ will accept written comments on the proposed beneficial use approval.

Written comments are due by:
5 p.m. Aug. 15, 2018

Who is the applicant?

Port of Portland
7200 NE Airport Way,
PO Box 3529
Portland, OR 97218

Where is the project located?

West Hayden Island placement site Facility
Near 3600 North Hayden Island Drive
Portland, Oregon

Summary

DEQ proposes to approve the beneficial use determination requested by the Port of Portland for placing dredged sediment at the West Hayden Island placement site. This material will come from proposed dredging of approximately 9,000-14,000 cubic yards of material from the Willamette River at the Port of Portland's Terminal 5. This dredging is necessary to maintain safe navigation in the river.

In making its determination, DEQ reviewed laboratory analytical data for the Willamette River sediments to ensure that contaminant concentrations are below levels of concern for people and animals based on current and potential uses of the site. DEQ will accept additional input on the dredged sediments placement decision during this comment period.

How to comment

Send written comments by mail, fax, or email to:
Solid Waste Permit Coordinator
DEQ Northwest Region
700 NE Multnomah St, Suite 600
Portland, OR 97232
Fax: 503-229-6945
Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us



State of Oregon
Department of
Environmental
Quality

Northwest Region Materials Management Program

700 NE Multnomah St,
Ste 600
Portland, OR 97232

For general questions

Phone: 503-229-5353
Fax: 503-229-6957
E-mail:
DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

For technical questions

Contact:
Heather Kuoppamaki
Phone: 503-229-5125
E-mail:
kuoppamaki.heather@deq.state.or.us

www.oregon.gov/DEQ

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Where can I get more information?

View the draft Beneficial Use Determination and Determination Evaluation by scrolling down in this document or going to <http://www.oregon.gov/deq/Get-Involved/Pages/Public-Notices.aspx>.

Where can I get technical information?

Heather Kuoppamaki, Project Manager
503-229-5125 or kuoppamaki.heather@deq.state.or.us

You may also review file copies of the project documents at the Northwest Region DEQ office in Portland. For a review appointment, contact 503-229-5353 or DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Specific Conditions of Proposed Approval

- Dewatering of the dredge materials must be conducted on site. No water generated during dredge placement may return to the Columbia River.
- If the material is to be moved from the West Hayden Island Placement Facility to some other location, the Port of Portland must manage the material as solid waste.
- Within two months of the completion of dredged sediment placement, the Port of Portland must provide a report to DEQ that includes the volume of material placed at the West Hayden Island facility and any location or characterization information if changed from that in the application.

Who might have an interest?

People who work, live or recreate in this area.

Site history

The site historically has been the location of a dredged sediment placement area.

What activities take place in the vicinity of the facility?

The proposed site for placement of sediment is approximately three quarters of a mile from a residential area. The site is located in an area zoned Multiple Use Forest, 19-Acre Minimum, a low-density Multnomah County designation. The City of Portland verified through an update to the Land Use Compatibility Statement dated Aug. 8, 2017 that placement of sediment is allowed at the West Hayden Island Placement site.

DEQ's role:

DEQ is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, and for managing the proper disposal of hazardous and solid wastes. DEQ issues beneficial use determinations to allow the reuse of certain waste materials that would otherwise be sent to a landfill.

What legal requirements apply?

Oregon Administrative Rules, Chapter 340 Division 93, rules 260 through 290 give DEQ the authority to issue beneficial use determinations.

What happens after the meeting?

After the comment period closes, DEQ will consider all comments received and determine whether to modify the beneficial use determination in accordance with the rules and statutes under the authority of DEQ.

Alternative formats: Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English



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skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.



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DRAFT

June 25, 2018

Michelle Hollis
7200 NE Airport Way
Portland, OR 97218

RE: Beneficial Use Determination (BUD-20180514), Port of Portland T5

Dear Ms. Hollis:

The Department of Environmental Quality (DEQ) has reviewed the May 11, 2018 application for a solid waste beneficial use determination (BUD) for material generated during maintenance dredging at the Port's Marine Terminal 5 and to be placed at the Port's dredge material placement site on West Hayden Island. The material consists of silty sand from maintenance dredging.

DEQ has determined that the beneficial use proposal meets the requirements for a case-specific Beneficial Use Determination (BUD) under Oregon Administrative Rule (OAR) 340-093-0260 through 340-093-0290. This BUD is issued to Port of Portland and is limited to the materials, approved uses, and conditions specified in Table 1. The conditions of the BUD are intended to prevent adverse effects to human health and the environment.

DEQ's determination is based on a review of the Port of Portland's application for beneficial use of dredge material from maintenance dredging, demonstrating the case-specific beneficial use performance criteria outlined in OAR 340-093-0290 are met for the approved uses. Details of DEQ's review are provided in the attached case-specific evaluation report.

Per OAR 340-093-0290(9), DEQ may modify or revoke this case-specific BUD at any time based on new information showing the potential to cause adverse impact to public health, safety, welfare, or the environment.

Table 1

Material	Beneficial Use	Conditions on all Uses
Dredged material	Placement at dredge placement area	1. Submit a dredging and disposal report for Terminal 5 with figures within 60 days of dredging (dredging dates, locations, volumes, acreages, dredge depths, photographs, debris and biological observations, and disposal information).

		<p>2. Dredge material approved in this beneficial use determination is limited to the dredge prism material described in the following documents:</p> <ul style="list-style-type: none"> a. Beneficial Use Determination application dated May 11, 2018 b. Portland Sediment Evaluation Team Memorandum regarding Level 2A suitability determination for maintenance dredging at the Port of Portland's (Port's) Terminal 5 (T5) for Berths 501 and 503 on the east bank of the Lower Willamette River (RM 1.0/1.5), at 15550/15660 N. Lombard Street, Portland, Multnomah County, Oregon. Dated May 23, 2018 c. Hart Crowser, Sediment Characterization Report, Terminal 5, Berths 501 and 501. Dated March 30, 2018
		<p>3. Dewatering of the dredge materials must be conducted onsite. No water generated during dredge placement may return to the Columbia River.</p>
		<p>4. If the material is proposed to be moved from the West Hayden Island Placement Facility to some other location, the Port of Portland must manage the material as solid waste.</p>

If you have any questions or concerns please contact Heather Kuoppamaki (DEQ project manager) at 503-229-5125 or kuoppamaki.heather@deq.state.or.us. DEQ appreciates your cooperation in protecting Oregon's environment.

Sincerely,

Audrey O'Brien, Manager
Northwest Region Environmental Partnerships

Enclosure: Beneficial Use of Solid Waste Determination Evaluation Report

Cc: Heather Kuoppamaki, DEQ NWR, kuoppamaki.heather@deq.state.or.us

Beneficial Use of Solid Waste Determination Evaluation Form



Applicant: Port of Portland

BUD#: 05152018

Solid Waste: Dredged soil

Summary of Proposed Beneficial Use: Upland placement of dredged material by a port district.

Reviewer: Heather Kuoppamaki

Date: 05/16/2018

Tier: One Two Three

Beneficial Use of Solid Waste

Beneficial use of solid waste is a sustainability practice that may involve using an industrial waste in a manufacturing process to make another product or using a waste as a substitute for construction materials.

The environmental benefits of substituting industrial waste materials for virgin materials includes conserving energy, reducing the need to extract natural resources and reducing demand for disposal facilities.

Oregon Administrative Rules (OAR) 340-093-0280 - 0290 establish standing beneficial uses and a process for DEQ review of case-specific beneficial use proposals. Under these rules, DEQ may issue a beneficial use determination as an alternative to a disposal permit for proposals that meet the rule criteria. If approved, once a beneficial use determination is issued, DEQ no longer regulates the waste as a solid waste as long as the waste is used in accordance with the approved beneficial use determination.

Beneficial Use Determination Evaluation Summary

Yes, the Beneficial Use of this solid waste meets all the case-specific performance criteria listed below and is approved.

No, the Beneficial Use of this solid waste does not meet all the case-specific performance criteria listed below and is not approved.

Notes: The Port of Portland plans to dredge Berths 501-Face, 501-Barge, and 503 at Marine Terminal 5. Terminal 5 is located at Willamette river mile 1 and 1.4 and is not located within the Portland Harbor Superfund area. The Port would like to place the dredged material at the West Hayden Island (WHI) dredge placement site.

The WHI dredge placement site has been configured to accommodate and appropriately manage dredge material, and has been an approved placement site for at least 80 years.

The Portland Sediment Evaluation Team (PSET) reviewed the dredging plan for Terminal 5. PSET determined that the dredge prism sediment from Berths 501-Barge and 503 is suitable for unconfined, aquatic disposal per the SEF guidance and the dredge prism sediment (to -47' CRD) from the upstream, the downstream DMMUs in Berth 501-Face is suitable for unconfined, aquatic disposal per the SEF guidance, and the dredge prism sediment (to -47' CRD) from the middle DMMU (501M) in Berth 501-Face is not suitable for unconfined, aquatic disposal per the SEF guidance.

Beneficial Use of Solid Waste Determination Evaluation Form

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

Case-Specific Beneficial Use Performance Criteria:

DEQ may approve an application for a case-specific beneficial use of solid waste only if all the following performance criteria are addressed: 1) Characterization of the Solid Waste; 2) Productive Beneficial Use of the Solid Waste; and, 3) The affect of the Proposed Beneficial Use on Public Health, Safety, Welfare and/or the Environment.

1) Characterization of the Solid Waste

Did the applicant characterize the solid waste and proposed beneficial use sufficiently to demonstrate compliance with the rules for case-specific beneficial use determinations (OAR 340-093-0280) by submitting required information for the appropriate tier? (See tier sections below for detailed characterization information.)

Yes No

Was the following information submitted for DEQ review and how adequate was it?

Tier 1 Applicable Not applicable

- Did the applicant provide an adequate description of the material proposed for beneficial use, the manner of generation and the estimated quantity to be used beneficially each year? Yes No

Notes: The proposed material is 9,000 to 14,000 cubic yards of material dredged from the Willamette River. The material will be generated from maintenance dredging at Terminal 5. The material is river sediments that consist of clayey silt, silty sand, and sand.

- Did the applicant provide an adequate description of the proposed beneficial use and justify how the proposed use is beneficial? Yes No

Notes: The applicant refers to ORS 459.061 which states that upland placement of dredged material by a port district is productive.

- Did the applicant provide a sufficient comparison of the chemical and physical characteristics of the material proposed for beneficial use with the material it will replace? Yes No

Notes: The material is being placed at a dredged material placement site on West Hayden Island. The Port of Portland compared chemical concentrations of contaminants in samples from the dredge prism to applicable screening levels. The only contaminant analyzed that exceeded a screening level was selenium. The weighted concentration of selenium was below the natural background concentration for selenium.

- Did the applicant successfully demonstrate compliance of the proposed beneficial use with the performance criteria in OAR 340-093-0280 based on knowledge of the process that generated the material, properties of the finished product, or testing? Yes No

Notes: The applicant stated the use is productive per ORS 459.061. The material was tested and the applicant's provided evaluation indicates the material will not pose an unacceptable risk to human health or the environment. The proposed placement has been approved by the Portland Sediment Evaluation Team (PSET). According to PSET, the material meets the requirements of the Sediment Evaluation Framework for the Northwest.

Beneficial Use of Solid Waste Determination Evaluation Form

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

- If required, did the applicant provide any other DEQ required information to evaluate the proposal?
 Yes No NA

Notes: *None required*

Tier 2 Applicable Not applicable

- Did the applicant submit all the information required for a Tier 1 application? Yes No

Notes:

- Did the applicant submit adequate sampling and analysis to make a determination of suitability for beneficial use? (Note: The analysis must provide chemical, physical, and biological characterization of the material proposed for beneficial use and identify potential contaminants in the material or the end product, as applicable.) Yes No

Notes: The applicant prepared eight composite samples from six dredge locations. These composite samples were from the upstream, middle, and downstream of Berth 501-Face within the upper and lower dredge prisms, the Berth 501-Barge, and Berth-503. The applicant analyzed the samples for petroleum hydrocarbons, metals, butyltins, polycyclic aromatic hydrocarbons (PAHs), phthalates, phenols, pesticides, and PCBs.

- When applicable, did the applicant provide a risk screening comparing the concentration of hazardous substances in the material to existing, DEQ approved, risk-based screening level values, and demonstrate compliance with acceptable risk levels? Yes No

Notes: Two of the samples contained selenium concentrations that exceeded the EPA SL for plants. The SSL is 0.52 mg/kg and the selenium results were 0.834 mg/kg and 1.24 mg/kg. Both of these results were "J-flagged" which means the detected result was an estimate because it was below the calibration curve but above the method detection limit. The weighted average concentration (0.611 mg/kg) exceeded the selenium SL for plants but was below the background concentration for selenium in the Portland Basin which is 0.71 mg/kg. A weighted average takes into account the estimated volume of the dredge prism that is associated with each data point.

Cadmium, copper, benzo(a)pyrene, and dibenz(a,h)anthracene were detected above clean fill screening levels. For copper and cadmium, the clean fill screening levels are based on calculated background concentrations of these metals, neither metal exceeded a risk based screening level.

The benzo(a)pyrene and dibenz(a,h)anthracene clean fill screening levels were based on residential soil risk based concentrations which are not applicable at this site. These RBCs were recently updated by DEQ's Cleanup program and have not been incorporated into the cleanfill guidance. The benza(a)pyrene and dibenz(a,h)anthracene concentrations did not exceed the occupational risk based concentrations.

- When applicable, did the applicant supply the location or type of land use where the material will be applied, consistent with the risk scenarios used to evaluate risk? Yes No

Notes: The material will be placed at the West Hayden Island upland placement site. This area is zoned MUF19 – Mixed use forest, 19 acre minimum.

**Beneficial Use of Solid Waste
Determination Evaluation Form**

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

- When applicable, did the applicant supply contact information of property owner(s) if this is a site-specific land application proposal, including name, address, phone number, e-mail, site address and site coordinates (latitude and longitude)? Yes No

Notes: The Port of Portland owns this property.

- Did the applicant supply an adequate description of how the material will be managed to minimize potential adverse impacts to public health, safety, welfare, or the environment? Yes No

Notes: The material is pumped from the transport barge directly to the diked placement area. Excess water is held in settling ponds. No surface water is discharged back into the Columbia River.

Tier 3 Applicable Not applicable

2) Productive Beneficial Use of the Solid Waste

Has the applicant demonstrated that the proposed beneficial use is a productive use of the material by providing information substantiating the criteria listed below?

Yes No

Notes: The applicant is a port district and the proposed use is upland placement of dredged material. Therefore, the use is considered productive according to ORS 459.061

- Did the applicant successfully identify or demonstrate a reasonably likely proposed beneficial use for the material that is not speculative? Yes No
- The applicant is a port district and has demonstrated the proposed use is upland placement of dredged material in accordance with Senate Bill 412 and ORS 459.061. Yes No

3) Effect of Proposed Beneficial Use on Public Health, Safety, Welfare and/or the Environment

Has the applicant demonstrated the proposed beneficial use will **not** create an adverse impact to public health, safety, welfare, or the environment, by providing information substantiating compliance with the criteria listed in the bullet list below?

Yes No

Notes:

- Has the applicant demonstrated that the material is not a hazardous waste under ORS 466.00? Yes No

Notes: The applicant tested samples of the dredge material for known potential contaminants. None of the contaminants were detected at concentrations that would cause the material to be classified as a hazardous waste.

- Has the applicant demonstrated that until the time this material is used according to a beneficial use determination, the material will be managed, including any storage, transportation, or processing, to prevent releases to the environment or nuisance conditions?

**Beneficial Use of Solid Waste
Determination Evaluation Form**

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

Yes No

Notes: The material will be dredged, placed on a transportation barge, and immediately offloaded onto the West Hayden Island placement location.

- Has the applicant demonstrated that hazardous substances in the material, if any, meet one of the criteria in the bulleted list below? Yes No
 - Hazardous substances do not significantly exceed the concentration in a comparable raw material or commercial product;
 - Hazardous substances do not exceed naturally occurring background concentrations; or
 - Hazardous substances will not exceed acceptable risk levels, including persistence and potential bioaccumulation, when the material is managed according to a beneficial use determination.

Notes: Hazardous substances detected in samples of the dredge material include butyltins, semi-volatile organic compounds (SVOCs), pesticides, and polychlorinated biphenyls (PCBs). None of these constituents were detected at concentrations exceeding applicable screening levels.

- Has the applicant demonstrated that the proposed beneficial use will not result in the increase of a hazardous substance in a sensitive environment, such as a park, wildlife refuge or wetland? Yes No

Notes: The dredge placement site is not a sensitive environment.

- Has the applicant demonstrated that the proposed beneficial use will not create objectionable odors, dust, unsightliness, fire, or other nuisance conditions? Yes No

Notes: The material is dredged material and consists primarily of sand and silty sand. The material is placed in the placement area in a slurry. The site is fenced from public access from N Hayden Island Drive.

- Has the applicant indicated that the proposed beneficial use will comply with any other applicable federal, state, and local regulations? Yes No

Notes: The dredge material placement has been reviewed by the Portland Sediment Evaluation Team which consists of members from US EPA, Army Corps, NMFS, USFWS, Oregon DEQ, EPA Cleanup, Ecology, and Oregon Cleanup programs.

4) Public Involvement Evaluation (Note: this is not a Beneficial Use evaluation criterion)

Determine a public involvement recommendation using the current, **Guidance to DEQ Solid Waste Program Staff and Managers on Public Notice & Participation.**

- Is public notice and participation being recommended for this application? Yes No

Notes: There is known public interest in using this part of Hayden Island for dredge material placement. A public meeting should be scheduled.