



Portland Harbor Superfund Site Collaborative Group September 14 Collaborative Group Meeting Summary

Wednesday, September 14, 2022

Time: 5:00 – 7:00 p.m.

With optional activities during 4:30 – 5:00 and 7:00 – 8:00 p.m.

The Portland Harbor Superfund Site (PHSS or Site) Collaborative Group (Collaborative) met for its seventh quarterly meeting on September 14, 2022. The Collaborative is led by members and co-convened by the U.S Environmental Protection Agency (EPA) and the Oregon Department of Environmental Quality (DEQ). The Collaborative meeting was held as an online-only event and took place from 5:00 – 7:00 p.m. with optional activities between 4:30 – 5:00 p.m. and 7:00 – 8:00 p.m. It was divided into sections as follows:

- **Optional* Collaborative Member Meet & Greet*
- [**Opening, Acknowledgements & Community Member Storytelling**](#)
- [**Materials, Introductions & Updates**](#)
- [**Topic Spotlight: Presentations & Questions Regarding Portland Harbor Superfund Site Funding and City of Portland Sewer, Stormwater, and Water Bill**](#)
- [**Adopting the Collaborative Group Charter in Principle**](#)
- [**Wrap up & Reminders**](#)
- **Optional* Virtual Breakout Rooms*

Opening, Acknowledgements & Community Member Storytelling

Disclaimer on Recording

The facilitator provided the following disclaimer before recording the meeting:

- Please be aware that when you join the Zoom meeting, your name and/or video may be displayed to other meeting participants and captured in the meeting recording. The meeting sections will be recorded and posted to the [Portland Harbor Collaborative Group YouTube Page](#). By joining the Zoom meeting, you are consenting to the recording and dissemination of the recording as noted above. If you would prefer not to share your name and/or video, please email phcollaborative@triangleassociates.com.

Welcome

The facilitator welcomed Collaborative members, presenters, and observers/public. They reviewed the logistics of using the Zoom platform for members and observers.

The facilitator announced that the Collaborative is always accepting new members and to email phcollaborative@triangleassociates.com if interested in joining.

Acknowledgements & Community Member Storytelling

The facilitator offered a land and water acknowledgement, then introduced Jeri Jimenez to share her story. Jeri is a member of the Klamath, Modoc, and Yahooskin Tribes, and is the Board Chair of the Portland Harbor Community Coalition. Jeri's connection to the Willamette is both spiritual and rooted in her upbringing in Salem, where she grew up recreating on the water. Jeri's passion about the river is evidenced by decades of environmental justice activism and community organizing. She works to protect its legacy as a source of energization, subsistence, and recreation for her grandchildren and for the health of the community.

Collaborative members had a chance to offer appreciations to Jeri, whose story is available to view [online](#).

Materials, Updates, and Introductions

Materials

The facilitator provided an overview of the following:

- **Shared Group Agreements:** Highlighted the agreement “Address the idea, not the person” and Collaborative members shared in the chat what this agreement means to them in the Collaborative space.
- **Agenda & Materials:** Reviewed the meeting agenda and shared that the final agenda and full materials packet are available [online](#).

Introductions

The facilitator led a round of introductions for Collaborative members. Returning members were asked to share their name, affiliation, and one word that describes their experience on the Willamette River this summer in the chat. Current members interested in learning more about the Collaborative's Steering Committee are invited to observe an upcoming Steering Committee meeting. Interested members can email phcollaborative@triangleassociates.com for more information.

There was one new member at the September meeting. Wes Thomas, DEQ, introduced himself to the Collaborative Group and shared his hopes for being a member of the group.

The facilitator acknowledged Tribal participation in the Collaborative and invited Tribal members and representatives to introduce themselves if desired. Nina Gal, Technical Representative from the Five Tribes, introduced herself. There were no identified Congressional representatives in attendance. Please see [Attachment A](#) at the end of this document for a list of meeting attendees.

EPA General Updates

Caleb Shaffer, Portland Harbor Team Lead, EPA, thanked members and observers on behalf of EPA for their involvement and for taking the time to attend the meeting. He shared general updates to the Quarterly Portland Harbor Superfund Site [Fact Sheet](#), available in the [meeting packet](#) and highlighted EPA's interactive Portland Harbor [StoryMap](#).

Caleb then provided the following six updates:

1. **Cathedral Park Update:** EPA has decided to continue remedial design work and has committed to complete the full remedial design for the Cathedral Park project area.
2. **Community Impact Mitigation Plan Update:** The CIMP will be finalized by 2024. EPA will be working to gather feedback in the next step of the outlining process for this document, which can be found [here](#). Members are welcome to reach out to Josie Clark, EPA, with any feedback or questions (clark.josie@epa.gov). An high-level update on the CIMP is also available to view [online](#).
3. **Portland Harbor Site Record of Decision (ROD) Correction Report Errata #3:** A transcription error was found regarding one of the contaminants of concern, HxCDF, a furan. This error does not change the risk level or the long-term cleanup level, but it does change the level where EPA would take remedial action. Because HxCDF is co-located with other contaminants, EPA anticipates that this change will not affect the size of the cleanup. More information is available in an official EPA memo, accessible [here](#).
4. **Programmatic Institutional Control Implementation and Assurance Plan (Programmatic IC Plan):** The Programmatic IC Plan outlines the measures that will be put in place to reduce exposure to contamination and protect the remedy (i.e., zoning restrictions, fish advisories, etc.). EPA anticipates making this plan available Fall 2022.
5. **PFAS Update:** EPA recently announced the proposed designation of two PFAS (per- and polyfluoroalkyl substances) as CERCLA Hazardous Substances.
 - a. Comments on this proposal can be submitted [online](#) by November 7, 2022. More information is available [here](#).
6. **EPA Staffing Update:** Benjamin Leake, EPA Remedial Project Manager, will be leaving the Portland Harbor team soon. EPA is in the process of hiring a new Portland-based Regional Project Manager.

Caleb's full updates are available to view [online](#).

Willamette Cove Update

The facilitator introduced Paul Slyman, Metro, to provide an update on the Metro Council's July decision to remove moderately contaminated soils from the Willamette Cove upland area to a permitted, offsite location.

Paul's full update is available to view [online](#).

Topic Spotlights: Presentations & Questions Regarding Portland Harbor Superfund Site Funding and City of Portland Sewer, Stormwater, and Water Bill

- **Portland Harbor Superfund Site Funding: “Who Pays for What?”**

Elizabeth McKenna, EPA Assistant Regional Counsel, explained how funding generally works at Superfund Sites where there are Potentially Responsible Parties (PRPs), and how funding generally works at the Portland Harbor Superfund Site.

After the presentation, Collaborative members had an opportunity to ask questions and were invited to join the optional facilitated breakout session on this topic at the end of the Collaborative meeting. Initial questions posed during the presentation are provided in [Attachment B](#) of this summary.

A recording of Elizabeth’s full presentation is available to view on the [Portland Harbor Collaborative’s YouTube Channel](#). Questions should be directed to Caleb Shaffer (shaffer.caleb@epa.gov) or Laura Knudsen (knudsen.laura@epa.gov).

- **The Portland Harbor Superfund Charge on the City of Portland Sewer, Stormwater, and Water Bill**

Anthony Martin, Financial Analyst, and Annie Von Burg, Environmental Policy Manager, City of Portland, Bureau of Environmental Services, shared a presentation on the rates and rate-setting methodology of the Portland Harbor charge.

After the presentation, Collaborative members had an opportunity to ask questions and were invited to join the optional facilitated breakout session on this topic at the end of the Collaborative meeting. Initial questions posed during the presentation are provided in [Attachment B](#) of this summary.

A recording of the City’s full presentation is available to view [online](#).

Adopting the Collaborative Group Charter in Principle

The facilitator introduced a new adoption process for the Collaborative Group’s [draft Charter document](#). Collaborative members were asked to test consensus to adopt the draft Charter in principle and prepare to fully adopt the Charter at the Collaborative Group’s December 7 meeting. However, results of the consensus test poll indicated that Collaborative members were ready to reach consensus to formally adopt the draft Charter in principle at the September meeting, rather than waiting until December.

The Collaborative group reached consensus by participating in a poll to adopt the Charter document in principle. The approved Charter is available to view [online](#).

Wrap Up and Reminders

The facilitator thanked presenters, Collaborative members and observers/public for their participation and thoughtful questions over the course of the meeting. The facilitator reminded participants of [important meeting dates](#), including **the next quarterly Collaborative Group meeting on Wednesday, December 7, 2022.**

The meeting officially adjourned at 7:00 p.m.

***Optional* Virtual Breakout Rooms**

The four breakout rooms offered were focused on the following topics:

1. **Overall Site & Project Area Updates, Continued:** Madi Novak (EPA), Wes Thomas (DEQ), Alyssa Bonini (Triangle), and Anna Hamilton (Triangle).
2. **Willamette Cove Updates, Continued:** Josie Clark (EPA), Eva DeMaria (EPA), Paul Slyman (Metro), Erin McDonnell (DEQ), and Lucila Gambino (Triangle).
3. **Portland Harbor Superfund Site Funding and the Portland Harbor Superfund Charge on the City of Portland Sewer, Stormwater, and Water Bill, Continued:** Elizabeth McKenna (EPA), Anthony Martin (City of Portland), Annie Von Burg (City of Portland), Caleb Shaffer (EPA), Aaron Bentson-Royal (EPA), and Annie Kilburg-Smith (Triangle).
4. **Portland Harbor Natural Resource Trustee Council:** Laurel Jennings (NOAA Restoration Center), Courtney Johnson (Nez Perce Tribe), Hunter Young (EPA), and Pauline Mogilevsky (Triangle). A recording of this presentation is available [online](#).

The optional breakout rooms portion of the meeting adjourned at 8:00 p.m.

Attachment A: Collaborative Meeting Attendees

A total of 76 people attended the meeting including Collaborative Group members, EPA and DEQ staff, facilitators, and observers.

Collaborative Group Members

Amyl Freeberg, Willamette River Advocacy Group (WRAG)
Annie Von Burg, City of Portland
Beth Appert, Multnomah County
Bob Sallinger, Audubon Society of Portland
Cassie Cohen, Portland Harbor Community Coalition (PHCC)
Charlotte MacDonald, Friends of the Smith and Bybee Lakes
Cherice Bock, Ecumenical Ministries of Oregon
Chris West, Schnitzer Steel Industries, Inc
Dana Crosby, Oregon Health Authority
Darise Weller, Linnton Neighborhood Association
Debbie Aiona, League of Women Voters
Debbie Silva, EVRAZ. Inc
Doug Larson, Portland Harbor Community Advisory Group (PHCAG)
Elizabeth Kennedy Wong, Port of Portland
Jessica Terlikowski, City of Portland
Katy Weil, Metro
Laura Feldman, Willamette River Advocacy Group (WRAG)
Marion McNamara, League of Women Voters
Mat Cusma, Schnitzer Steel Industries, Inc
Matt Stein, Green Anchors
Paul Slyman, Metro
Sarah Taylor, Braided Rivers Campaign and Portland Harbor Community Advisory Group
Todd Hudson, Oregon Health Authority (OHA)
Tom Karwaki, University Park Neighborhood Association

EPA

Caleb Shaffer, Portland Harbor Team Lead
Laura Knudsen, Community Involvement Coordinator
Benjamin Leake, Remedial Project Manager
Hunter Young, Remedial Project Manager
Eva DeMaria, Remedial Project Manager
Meshach Padilla, Public Affairs Specialist
Madi Novak, Remedial Project Manager
Aaron Bentson-Royal, Physical Scientist Student Trainee

DEQ

Wes Thomas, In-Water Coordinator
Dave Lacey, Source Control Coordinator
Erin McDonnell, Cleanup Program Engineer

Triangle Associates

Annie Kilburg-Smith, Director
Alyssa Bonini, Associate
Lucila Gambino, Associate
Anna Shepherd, Associate
Anna Hamilton, Project Associate
Pauline Mogilevsky, Project Associate

Attachment B: Collaborative Member Questions on Topic Spotlight Presentations by EPA and by the City of Portland

Portland Harbor Superfund Site Funding: “Who Pays for What?” - EPA

Question 1: Are all PRPs currently up to date on their remedial design processes, contract mandates, and payments?

Answer 1: There are two parties currently not in compliance with their unilateral administrative orders. EPA is currently evaluating enforcement options and solutions. *(Since the September 14 Collaborative Group Meeting, one of these PRPs has come into compliance with their unilateral administrative order).*

Question 2: How will the long-term delayed allocation process not affect important sequencing and the rapidly approaching timeline for Remedial Action?

Answer 2: EPA will be working with allocation groups to figure out a schedule and find an optimal approach such that the settlements won't cause delay.

Question 3: You mentioned that PRPs are allocating percentages of responsibility for Remedial Design. Do those same percentages carry over to clean-up costs?

Answer 3: EPA is not privy to how that allocation process is conducted. It is a confidential process.

The Portland Harbor Superfund Charge on the City of Portland Sewer, Stormwater, and Water Bill - City of Portland

Question 4: Are other cities charging their communities for Superfund sites?

Answer 4: It depends on the nature of the Superfund site. When you have a sediment site like this, in a river, it is common that the municipality that owns and operates the conveyance system is identified as a potentially responsibility party.

Question 5: Does the consultant-led study include how people paying for water feel about paying for the Portland Harbor?

Answer 5: No, the study is more focused on the technical aspects of how to we ensure that the cost that we are spending on our sanitary and stormwater systems are appropriately recovered by different customers.

Question 6: Why are PRPs and ratepayers thrown into the same bag when PRPs created the cleanup bill?

Answer 6: The City of Portland is a PRP, and ratepayers are paying for a portion of the cost for the City itself.