

# Portland Harbor Superfund Site Community Impacts Mitigation Plan (CIMP)

## Draft Annotated Outline

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**Document Purpose:** The purpose of this annotated outline is to (1) provide a status update on the CIMP's current content and format, including information that has been drafted or that is still being developed and (2) solicit feedback on the content and the layout of the information that will be provided to address community impacts related to the Portland Harbor Superfund Site cleanup process.

**Instructions for Review:** Thank you so much for taking the time to review this draft annotated outline for the Portland Harbor CIMP. To provide feedback, you can (1) fill out [this survey](#) or (2) reach out to Dani Jochums via email at [djochums@triangleassociates.com](mailto:djochums@triangleassociates.com) to provide written comments or schedule a time to meet.

**Other Notes to Consider:** The CIMP is a living document that is still in the process of being drafted; this annotated outline is intended to provide the Portland Harbor community an idea of the CIMP's content to share feedback as EPA is mid-way through the drafting process. It is not intended to be comprehensive. EPA will share a full draft of the CIMP for review by (tentatively) March 2024.

**Chapter 1 – Introduction:** The introductory chapter of this document will outline the contents, purpose, and goals of the CIMP, provide an overview of the Portland Harbor Superfund Site and cleanup objectives, and review EPA's environmental justice initiatives for the Site. This chapter will address the following questions:

- What are the goals and objectives of the CIMP?
  - To create transparency during cleanup
  - To inform monitoring and scoping

### 1.1 Background

- What is the Portland Harbor Superfund Site?
  - Priority cleanup site for EPA
  - Current overview of Portland
  - Brief description of the Willamette River's ecological and Tribal importance
  - Brief description of contaminants found in the site
- What is the objective of the cleanup?
  - To reduce health risks to people, fish, and wildlife
  - To encourage commercial and industrial redevelopment
  - Graphic of timeline of cleanup

### 1.2 Purpose of the CIMP

- What is a Community Impacts Mitigation Plan?
  - A living document that serves as a guide and enforcement tool to reduce adverse impacts to the community from cleanup actions.
- Why create a Community Impacts Mitigation Plan?

This draft document is subject to change.

- Recommended under the 2021 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Remedial Action Consent Decree template as a best practice that has evolved over decades of environmental cleanups.
- How did EPA create this Community Impacts Mitigation Plan?
  - EPA worked in close collaboration with Tribes, partners, community leaders, performing parties for remedial design, etc. to develop this plan.
  - Table of partners and input timeline.

### 1.3 Environmental Justice

- What is environmental justice and what does it mean in the Superfund context?
  - Environmental justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation and enforcement of environmental laws, regulations, and policies.
- How does the CIMP address environmental justice?
  - The Portland Harbor CIMP will describe all activities to be performed during the remedial action phase of the cleanup, including activities that address community members with environmental justice concerns.
- What are other environmental justice initiatives within EPA?
  - Justice40 Initiative
  - The National Environmental Justice Advisory Council
  - White House Environmental Justice Advisory Council
  - Environmental Justice Screening and Mapping Tool
  - Superfund Job Training Initiative

### **Chapter 2 – Cleanup Activities, Performance Standards, and Recommended**

**Practices:** This chapter will provide an overview of the anticipated remedial activities, their sequencing, duration, and the equipment that will be used to carry out these activities. This chapter will also introduce the concept of performance standards and recommended practices that will be applied to address community impacts. This chapter will address the following questions:

- What remedial actions are expected to take place at the Portland Harbor Superfund Site?
  - Dredging (mechanical and/or hydraulic)
  - Transport of dredged material by barge or pipeline
  - Containment/capping of contaminated sediment
  - Material handling, dewatering, and water treatment
  - Transportation and disposal of processed sediments
  - Habitat mitigation project construction
  - Treatment/In-Situ Stabilization
- What is the sequence of remediation activities?
- How long will the cleanup activities last?
- What equipment will be used to carry out remedial action?
- What performance standards will be applied to the Portland Harbor cleanup?
- How will performance standards be applied and enforced for Portland Harbor?
- How will recommended practices be applied for Portland Harbor?

**Chapter 3 – Community Impacts:** This chapter will outline the primary impacts of concern identified by members of the Portland Harbor community and the process by which that input was gathered. For each impact, this chapter will list the concerns that were shared.

### **3.1 Community Impacts During Portland Harbor Remedial Action**

- What are community impacts?
  - Any effects that remedial action may have on people, infrastructure, or ecosystems surrounding the project site.
- What community impacts are being addressed by the CIMP?
  - Air quality
  - Noise
  - Light at night
  - Water quality
  - Navigation safety
  - Recreation
  - Resident fish advisory consumption to zero
  - Additional jobs / loss of jobs
  - Urban wildlife
  - Cooperation and communications with houseless community members
  - Traffic and parking

### **3.2 Outreach and Engagement on Community Impacts**

- A graphic outlining the community engagement process will be included in this section.

### **3.3 Input Gathered Through Outreach Process**

- How will this feedback be addressed in the CIMP?

**Chapter 4 – Addressing Community Impacts:** This chapter will describe the process by which EPA developed performance standards and recommended practices to address the community impacts listed in Chapter 3. For each community impact, the chapter will summarize community concerns, describe the basis of the recommended practices and/or performance standard, state the recommended practice and/or performance standard, outline the demonstration of compliance and communications, and share additional community and partner resources.

#### **4.1 Air Quality**

##### **4.1.1 Introduction/Summary of Concerns**

- Potential air quality impacts to the community include dust, volatilizing polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), diesel exhaust, and nuisance odors.

##### **4.1.2 Basis of Recommended Practices or Performance Standards**

- Performance standard development based on conversations with Oregon Department of Environmental Quality on ambient air quality, diesel, fugitive dust, and nuisance odor and on standards set by the City of Portland's Clean Air Construction requirements.

##### **4.1.3 Recommended Practices or Performance Standards**

- Recommended practices will include:
  - No visible dust leaving the perimeter of the work zone.
  - Minimize diesel emissions in the remedial action phase of the cleanup, encourage adoption of Portland's Clean Air Construction requirements, and conduct initial air samples for PCBs.
- Performance standard to be determined.

##### **4.1.4 Demonstration of Compliance and Communications**

- Requirements for green remediation, minimizing dust and PCB air sampling will be part of remedial design plans as appropriate.
- EPA will oversee construction activities to ensure these requirements are met.
- Initial PCB air sampling results will be made public.
- A complaint hotline will be set up to address further concerns about community impacts.
  - Compliance will be regulated by complaint-based follow-up.
- Community members will also be directed to the nuisance odor hotline with the City of Portland.

#### 4.1.5 Community and Partner Resources

- Resources include websites, reports, and apps from Oregon DEQ, air quality data monitoring websites, and local organizations, such as Neighbors for Clean Air, to learn more about air quality in the Lower Willamette valley during remedial action.

## 4.2 Noise

### 4.2.1 Introduction/Summary of Concerns

- This section will describe the specific activities that are most likely to produce noise impacts.
- A description of sound measurements and concepts will be provided. This section will include a graphic comparing decibel levels of common sounds and anticipated project sounds.
  - *For an example graphic, see the Hudson River Quality of Life document [online](#).*
- Elevated sound levels may result from remedial activities and may be disruptive to community members and local wildlife.

### 4.2.2 Basis of Recommended Practices or Performance Standards

- The City of Portland's Construction Noise Regulations will be the basis for performance standards during remedial action. Noise is expected to be typical of noise from existing activities taking place in the area.
- EPA met with representatives from the City of Portland's Noise Office to gather information about the City's regulations, monitoring, and enforcement of noise related to construction projects.

### 4.2.3 Recommended Practices or Performance Standard

- The performance standard will be outlined in a table of permissible sound levels between 7am and 10pm vs between 10pm and 7am per [City of Portland code](#).
- Other recommendations will include:
  - Only drive pile between the hours of 7am – 10pm.
  - Conduct outreach to communities who may hear the remedial action, so they know what is making the sound. Recommend any residences or businesses within 500' as a minimum.
- Contingency actions if noise performance standards are exceeded will include:
  - Reducing vehicle speeds
  - Reducing the number of vehicles or equipment operating
  - Adjusting work hours

### 4.2.4 Demonstration of Compliance and Communications

- A complaint hotline will be set up to address further concerns about community impacts.
  - Compliance will be regulated by complaint-initiated follow-up.

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- EPA anticipates noise created by remedial action will be comparable to other industrial noise that is currently present at the project areas.

#### 4.2.5 Community and Partner Resources

- Resources will include the City of Portland's Construction Noise Regulations, NIOSH Sound Level Meter App, and the Portland Noise Office Website.

### 4.3 Light at Night

#### 4.3.1 Introduction/Summary of Concerns

- A description of light pollution terminology and measurements will be provided.
- Artificial lighting used to illuminate nighttime remedial activities may be disruptive to community members and local wildlife.

#### 4.3.2 Basis of Recommended Practices or Performance Standards

- Recommendations and performance standards were developed in conversations and based on resources provided by:
  - Willamette Riverkeeper
  - Audubon Society of Portland
  - The City of Portland

#### 4.3.3 Recommended Practices or Performance Standards

- Recommended practices will include:
  - Shield all lights so they only illuminate the work area.
  - Minimize any trespass light from on-water operations to riverbank and upland areas.
  - Minimize glare for neighboring residents.

#### 4.3.4 Demonstration of Compliance and Communications

- EPA will verify that it is included in the project specifications and will conduct site visits at night at the beginning of remedial action.
- A complaint hotline will be set up to address further concerns about community impacts. Compliance will be regulated by complaint-based follow-up.

#### 4.3.5 Community and Partner Resources

- To be determined.

### 4.4 Water Quality

#### 4.4.1 Introduction/Summary of Concerns

- Remedial activities may impact ambient water quality standards, notably turbidity. Concern was raised around impacts associated with materials and contaminated sediments handling.

#### 4.4.2 Basis of Recommended Practices or Performance Standard

- Dredging and capping in the Lower Willamette River may increase the amount of turbidity and contaminants in the water in proximity to the activity.
- EPA will oversee parties performing the remedial action to ensure all reasonable steps are taken to minimize negative water quality impacts.
- This will be accomplished through monitoring to demonstrate construction activities are in substantial compliance with the Clean Water Act and Oregon's water quality law and regulations.

#### 4.4.3 Recommended Practices or Performance Standard

- It is expected that performing parties will develop a draft Water Quality Monitoring Plan, which will require water quality monitoring and describe best management practices or controls that will be implemented.

- Best practices may include installing silt curtains and other floating barriers around construction activity and pacing the dredging to minimize turbidity throughout the duration of the project.

#### 4.4.4 Demonstration of Compliance and Communications

- Turbidity will be closely monitored by the performing party and EPA because it is an indicator of whether contaminants are being spread beyond the remedial action area footprint or into the water column.
  - The demonstration of compliance will be handled as part of construction oversight rather than as a community impact.
- Performing parties will be expected to submit a summary of each week's water quality monitoring results to EPA on a weekly basis. Water quality exceedances will be reported to EPA on a daily basis.
- If water quality monitoring shows ongoing exceedances due to construction activities, construction activities will be modified.
  - This could include slowing down the pace of the work, implementing additional controls, and/or ceasing in-water activities.

#### 4.4.5 Community and Partner Resources

- An additional resource will include a fact sheet on Clean Water Act Section 401 compliance for Superfund Sites.

### 4.5 Navigation Safety

#### 4.5.1 Introduction/Summary of Concerns

- Dredging and capping activities will occur in the waterway and may present an obstacle for other river users. At no point will the entire navigation channel be blocked.
- Each active remediation area is likely to have 2 barges, one dredge, and a couple of smaller supporting boats.
- This equipment is likely to be operating around the clock.
- Most of this activity will take place near shore, outside of the navigation channel. Some dredging will be done in the navigation channel.

#### 4.5.2 Basis of Recommended Practices or Performance Standards

- EPA will base its recommendations to address navigation safety after meeting with and receiving resources from:
  - Oregon Marine Board
  - U.S. Coast Guard
  - U.S. Army Corps

#### 4.5.3 Recommended Practices or Performance Standards

- EPA is still drafting recommendations and performance standards, which will likely include:
  - A recommendation that contractors completing the work have signage and buoys to communicate with commercial and recreational vessels where the work is occurring.
  - EPA will work with the U.S. Coast Guard to develop safety zones for each active project area.
    - This will include a public comment process, communications to mariners, and enforcement by local law enforcement.

#### 4.5.4 Demonstration of Compliance and Communications

- To be determined.

#### 4.5.5. Community and Partner Resources

- To be determined.



## **4.6 Recreation**

### 4.6.1 Introduction/Summary of Concerns

- Summary of concerns that terrestrial or water recreation opportunities will be limited or unsafe due to remedial action.

### 4.6.2 Basis of Recommended Practices or Performance Standard

- Worked with Portland Parks and Recreation and Oregon Marine Board

### 4.6.3 Recommended Practices or Performance Standard

- PRPs to coordinate closely with Portland Parks and Recreation and Metro if remedial action will impact public recreation.
- PRPs to inform public of limitations to recreation, with directions to comparable alternative sites, via signage and online information.
- EPA to monitor a hotline for complaints.

### 4.6.4 Demonstration of Compliance and Communications

- EPA will work closely with Portland Parks and Recreation and Metro to ensure ample advance notice if impacts to recreation are anticipated.
- EPA to monitor hotline for complaints.
- EPA to continue to solicit feedback from Portland Harbor Superfund Site Collaborative Group.

### 4.6.5 Community and Partner Resources

- Public resources including Oregon Metro, Portland Parks and Recreation, Urban Nature Partners PDX, Oregon State Parks, and Wild Diversity.

## **4.7 Resident Fish Advisory Consumption to Zero**

### 4.7.1 Introduction/Summary of Concerns

- The fish advisory may disproportionately affect underprivileged communities and would require tailored, collaborative outreach to those communities.

### 4.7.2 Basis of Recommended Practices or Performance Standards

- Developed with Multnomah County Health Department, working under a cooperative agreement with EPA.

### 4.7.3 Recommended Practices or Performance Standards

- During remedial action, the Multnomah County Health Department will promote broad awareness of the recommendation to eat zero resident fish/shellfish from the Lower Willamette River (LWR). The target audience will be fishers and those who eat fish from the LWR. The outreach work will also inform the general public of the new guidelines.

### 4.7.4 Demonstration of Compliance and Communications

- Efforts by the Multnomah County Health Department to build upon current outreach and education include branding, social and digital media, streaming audio advertisements, streaming display advertisements, updated fact sheets and flyers, print, television and radio advertisements, and signage.
- EPA will continue to solicit feedback from Portland Harbor Superfund Site Collaborative Group.

### 4.7.5 Community and Partner Resources

- Resources will include existing communications and promotional materials on this campaign.

## **4.8 Additional/Loss of Jobs**

### 4.8.1 Introduction/Summary of Concerns

- Increased traffic in cleanup areas may provide a larger market for local businesses and bolster the local economy.
  - More jobs in remediation and cleanup work may become available for local companies, community members and workers.
  - Training opportunities, apprenticeships, and internships may become available for community members to learn about Superfund site and remediation work.
  - Work and monitoring will need to go into making sure that employment and professional training opportunities are equitable for women and minorities and that these opportunities target the local communities who have been negatively impacted by the Superfund site.
  - Outside of the Superfund cleanup, there are other large construction projects going on that could be a partner for jobs: Burnside Bridge Replacement, Rose Quarter Albina Project, and the i-5 Bridge Replacement.
- 4.8.2 Basis of Recommended Practices or Performance Standards
- To be determined.
- 4.8.3 Recommended Practices or Performance Standard
- To be determined.
- 4.8.4 Demonstration of Compliance and Communications
- To be determined.
- 4.8.5 Community and Partner Resources
- To be determined.

#### **4.9 Urban Wildlife**

- 4.9.1 Introduction/Summary of Concerns
- Plants and wildlife in and around the LWR may be negatively affected by remedial action.
- 4.9.2 Basis of Recommended Practices or Performance Standard
- Worked with wildlife experts from:
    - U.S. Fish and Wildlife Service
    - Oregon Department of Fish and Wildlife
    - Willamette Riverkeeper
- 4.9.3 Recommended Practices or Performance Standard
- Tailored recommendations for amphibians, bats, beaver, bees, lamprey, mussels, plants life, raptors, turtles, waterfowl, and woodpeckers.
- 4.9.4 Demonstration of Compliance and Communications
- EPA will continue to solicit feedback from Portland Harbor Superfund Site Collaborative Group.
  - EPA will share information and collaborate with U.S. Fish and Wildlife Service and the Oregon Department of Fish and Wildlife.
- 4.9.5 Community and Partner Resources
- Resources include Oregon Department of Fish and Wildlife, Oregon Wild, Portland Audubon, U.S. Fish and Wildlife Service, and Willamette Riverkeeper.

#### **4.10 Cooperation and Communication with Houseless Community Members**

- 4.10.1 Introduction/Summary of Concerns
- Concerns surrounding houseless community members include forced relocation, river access for personal use, and resident fish and shellfish consumption.
- 4.10.2 Basis of Recommended Practices or Performance Standard
- Worked with partner organizations, including PHCC.
- 4.10.3 Recommended Practices or Performance Standard



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- PRPs / cleanup contractors to communicate with houseless community members in the area clearly and frequently.
  - PRPs / cleanup contractors recommended to work with a community organization that specializes in outreach to the houseless community in areas with regular resident houseless community.
- 4.10.4 Demonstration of Compliance and Communications
- PRPs to complete and make public a notice when working with houseless community members or when houseless community members are disturbed.
  - EPA to continue to solicit feedback from Portland Harbor Superfund Site Collaborative Group.
- 4.10.5 Community and Partner Resources
- Public resources including Central City Concern, Joint Office of Homeless Services, Portland State University’s Homelessness Research and Action Collaborative, and Street Roots.
- 4.11 Traffic and Parking**
- 4.11.1 Introduction/Summary of Concerns
- Traffic concerns included decreased parking availability and traffic due to construction workers.
- 4.11.2 Basis of Recommended Practices or Performance Standard
- Review by parties to be determined
- 4.11.3 Recommended Practices or Performance Standard
- PRPs / cleanup contractors to create and make public a traffic and parking plan for their vehicles in highly trafficked areas.
  - PRPs / cleanup contractors to provide signage in areas where parking will be impacted.
  - EPA to run a hotline for complaints.
- 4.11.4 Demonstration of Compliance and Communications
- PRPs / cleanup contractors to provide traffic and parking plan to the public in advance of implementation with a period for public comment.
  - EPA to monitor the hotline.
  - EPA to continue to solicit feedback from Portland Harbor Superfund Site Collaborative Group.
- 4.11.5 Community and Partner Resources
- Public resources including Oregon Metro, Portland Bureau of Transportation, Portland Parks and Recreation, Urban Nature Partners PDX, and Wild Diversity.

## **Chapter 5 – Review and Finalization of Recommendations and Performance**

**Standards:** This chapter will include a conclusion and reiteration of the recommendations and standards, structure to be determined.