



October 6, 2017

Ms. Michelle Pirzadeh, Acting Regional Administrator
U.S. Environmental Protection Agency Region 10, Office of the Administrator
1200 Sixth Avenue
Seattle WA 98101

Sent by email

RE: Letter of Support for a Transparent Review of the Proposed Agreement of Consent for Additional Sampling at the Portland Harbor Superfund Site

Acting Administrator Pirzadeh,

We write to express our support of the Oregon Department of Environmental Quality's (DEQ) October 5 letter requesting a transparent technical review of the Pre-RD Group's proposed sampling plan at the Portland Harbor Superfund Site before it is finalized.

We share DEQ's concern that the content of the agreement is at odds with implementation of the Record of Decision (ROD), and that moving forward with the agreement as proposed would unnecessarily delay cleanup.

When EPA issued the Community Summary for the ROD, it assured the public that EPA's next steps would be to collect additional data to "establish baseline conditions and guide the design." Instead, as described by DEQ, the draft workplan reopens and reanalyzes decisions that were already made through a lengthy and intensive process. The ROD provides for flexibility in implementation that does not require that the investigation and feasibility studies be repeated.

We appreciate and share EPA's goal to move implementation forward as quickly as possible, but fear that the objectives described by DEQ in the draft agreement could steer the site off-course and even take implementation backward.

And we are deeply troubled that, as DEQ observes, the current negotiation process with the Pre-RD group has not provided the opportunity for proper Federal, Tribal and State review.

The implementation steps after the ROD are defined in law, described in the ROD, written in a Memorandum of Understanding with the Tribes, State and Natural Resource Agencies – and were promised to the public.

The City requests assurance that review of this agreement will follow the long-standing, transparent technical review process for Portland Harbor, and will not delay cleanup.

We encourage EPA to ensure that the Portland Harbor Superfund moves quickly toward a healthy, working river for Oregon and the region.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ted Wheeler', with a long horizontal line extending to the right.

Mayor Ted Wheeler

A handwritten signature in black ink, appearing to be 'Nick Fish', written in a cursive style.

Commissioner Nick Fish

CC: Richard Whitman, Oregon Department of Environmental Quality
Jason Miner, Office of the Governor
Jim Woolford, Director, EPA OSRTI
Sheryl Bilbrey, Director, EPA Office of Environmental Cleanup
Cyndy Mackey, Director, EPA Office of Site Remediation Enforcement
Davis Zhen, Manager, EPA Region 10 Site Cleanup Unit 2
Kevin Parrett, Manager, ODEQ Northwest Region Cleanup Program