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# Cleaning Up Our Toxic River

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## THE CLEAN-UP PROCESS & COSTS

*Unsafe levels of toxic chemicals lie along the bottom of the Willamette River downstream of Oregon City. DEQ is proposing to lead the clean-up of the most industrialized section (6 miles between Swan and Sauvie Islands), called the Portland Harbor, in order to avoid its designation as a federal Superfund site.*

### DEQ's Vague Plan

The process of cleaning up a site contaminated with toxic chemicals takes many years. In some cases it can take decades. DEQ may have underestimated the complexity of the Portland Harbor clean-up and its associated costs as it proposes to lead remediation efforts of at least 17 specific contamination sites.

DEQ's report on its approach is vague on how the agency plans to pay for the study and clean-up. In theory, the responsible parties will cover most of the costs, including the cost of DEQ's oversight. The report does not include assurances that the responsible parties will pay the full amount estimated for the river-wide assessment. It does not address what will happen if costs rise.

Costs for the clean-up cannot even be approximated because DEQ does not know the full extent of the toxic contamination. Its report allows for the use of up to \$1 million of the state's Orphan Site Account funds. If costs incurred by DEQ exceed that \$1 million, then the agency will delay clean-up efforts at other sites in the state until more funds can be secured. DEQ needs to commit more financial resources to the Portland Harbor clean-up to prepare for potential problems, and have contingency plans to ensure there are no delays in the clean-up process.

DEQ's report is similarly vague about the funds it would provide to ensure technical assistance to the public. These funds, such as are available under the federal Superfund

program, are necessary to help the community understand the technical issues throughout the clean-up process. Since there are so many sites involved over such a long period of time, and the issues are so complex, DEQ needs to commit sufficient financial resources for the project.

DEQ's report leaves too many unanswered questions about who is going to pay to study and clean up the Portland Harbor and the Lower Willamette River. DEQ has not provided assurances that these costs will be covered by the parties that are legally responsible for the toxic contamination.

### What Will the DEQ Approach Cost?

- The development of DEQ's report was funded by the Portland Harbor Group, a group of local businesses and local agencies that operate in the Portland Harbor. It cost \$0.5 million.
- The cost of evaluating the 26 miles of the Lower Willamette River and assessing the extent of the contamination in the 6-mile stretch of the Willamette River referred to as the Portland Harbor is estimated at \$2.2 - 3.8 million, excluding DEQ oversight costs. However, this assumes that DEQ will only look for relatively clean sites (to determine what a clean site looks like) and relatively contaminated sites (in an attempt to locate other sources that will help pay for the clean-up).

- Overall, implementation of the report is expected to cost an estimated \$3-5 million with \$1 million coming from the Orphan Site Account and the rest coming from the responsible parties in the Portland Harbor. This does not include the cost of clean-up.
- The Orphan Site Account has approximately \$6-8 million available state-wide per biennium for cleaning up contaminated wastes where there is no responsible party or the responsible party is unwilling to pay.
- DEQ's report says it may be able to obtain additional funding resources from the Army Corps of Engineers and other sources but this section is vague, incomplete, and unrealistic.
- Site-specific clean-up projects, including DEQ's oversight costs, will be paid for by the responsible parties.

## Contamination Response Process

The following process is applicable to both specific contaminated sites and the broader river area.

1. A contaminated site is brought to the attention of DEQ.
2. "Site Discovery" — identifying and documenting releases of hazardous substances to the environment.
3. "Site Assessment" — reviewing all the data on the site acquired in the Site Discovery stage to prepare a clean-up strategy recommendation, including establishing priorities for further action.
4. "Removal Action" — can occur at any time during the process and consists of immediate measures to control sources of contamination or protect the community from the site.
5. "Remedial Investigation" (RI) — identifying the full extent and nature of the contamination at the site and involves conducting a risk assessment.
6. "Feasibility Study" (FS) — investigating and evaluating possible remediation strategies for their feasibility and ability to meet the clean-up objectives.

7. "Record of Decision" (ROD) — DEQ selects the remediation strategy for the site based on the feasibility study and issues a Record of Decision for public comment before the final draft.

8. "Remedial Design/Remedial Action" — once a Record of Decision has been finalized, the remediation implementation stage begins.

## Concluding Questions

- Who will pay for the Portland Harbor clean-up as proposed in the report? Why should we trust that the "responsible parties" will pay for everything? Will it be Oregon taxpayers if DEQ cannot get the responsible parties to pay?
- Is DEQ financially prepared to implement the proposal outlined in the report? It is impossible to tell because DEQ has left many parts of its funding strategy vague.
- Is DEQ ready to provide technical assistance to the community? DEQ wants you to think so, but it has not provided any details.
- Does DEQ's report provide any assurances that where costs are an issue, and private companies are paying the bills, that corners will not be cut?
- Since the full extent of toxic contamination is not yet known, isn't it short sighted to forgo the resources of the Superfund program?

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