



OREGON CHAPTER SIERRA CLUB
1821 SE ANKENY ST • PORTLAND, OR 97214
PHONE (503) 238-0442 • FAX (503) 238-6281
OREGON.CHAPTER@SIERRACLUB.ORG
WWW.OREGON.SIERRACLUB.ORG

September 6, 2016

U.S. Environmental Protection Agency
Attn: Harbor Comments
805 SW Broadway, Suite 500
Portland, OR 97205

Re: Comment on Proposed Cleanup Plan for the Portland Harbor Superfund Site

I write today on behalf of the 200,000 members and supporters of the Oregon Chapter of the Sierra Club to comment on the EPA's proposed cleanup plan for the Portland Harbor Superfund site. In addition to the comments we have joined from the Portland Harbor Community Coalition and submitted under separate cover, we would look to provide the additional comments below.

First, as an overall recommendation, we would like to see the agency adopt Alternative G, with enhancements to improve the long-term effectiveness of the cleanup. An improved version of Alternative G is by far the Sierra Club's preference for a cleanup plan for the Portland Harbor site.

On the other hand, we believe that your agency's preferred alternative – Alternative I – is far less effective and less protective than Alternative G for a number of reasons. First, we believe Alternative G would remove much more sediment than Alternative I. Similarly, Alternative I does not effectively consider the scour of Portland Harbor and it would leave in place acres of contaminated sediment that EPA's own analysis indicates are in non-depositional areas of the harbor. We believe that Alternative G will better address high contact exposure areas for community members, and especially children.

More specifically, we also have the following comments on the EPA proposal:

- The EPA and relevant agencies should collect baseline data on soil, air, water, and fish contamination as soon as possible. Furthermore, the cleanup should require independent monitoring throughout the remediation period until clean, healthy levels are achieved.
- The EPA should select disposal options that do not include a Confined Disposal Facility and that do include treatment of dredged sediment to break down or bind contaminants.
- Because Monitored Natural Recovery (MNR), with or without enhancement, has not been shown to be effective, we believe the EPA needs to reduce the use of MNR, ensure annual monitoring, and include provisions in the ROD for contingency actions if monitoring data indicates unsatisfactory performance results.
- Because we believe Institutional Controls (ICs) are not effective, especially in the long term, the EPA needs to reduce the overall need for ICs. Furthermore the Record of Decision (ROD) should

include provisions for Potentially Responsible Parties (PRPs) covering the costs of ICs, as well as provisions for evaluating the IC effectiveness with regular program modifications.

- The EPA should include atmospheric transport in its analysis of potential exposures. Doing so will indicate the extent to which remaining contamination will expose community members to unacceptable risks.
- The EPA should require the State of Oregon to continue its measures to control upland sources via legally enforceable means. Unfortunately, the approach suggested in the draft proposal indicates that such an approach *may* be taken; we do not believe that language is sufficient.
- The EPA should require the installation of both environmental and quality of life monitoring during the construction phase, with the PRPs covering the cost for that monitoring. We believe this provision needs to be a required and unequivocal element of the cleanup plan.
- With regard to fish tissue monitoring, we believe the general goals and design characteristics/requirements of such monitoring needs to be specifically detailed in the ROD.
- We believe that habitat restoration following any remedial construction needs to be a required element in the ROD. Furthermore, aquatic habitat that is disturbed by the remedial work must be restored, with the full cost paid by the PRPs. When near-shore and intertidal habitat has to be removed, it must be replaced and replanted with vegetation that will persist and serve its important functions.
- Because this cleanup will have features that must be maintained for decades to come, the analyses and monitoring plans need to account for a longer timeframe in estimating costs and benefits than is currently being contemplated.
- The final remedy must comply with state environmental quality requirements, especially the water quality criteria for the Principal Threat Waste contaminants. Additionally, the levels of PCBs, dioxins, and DDTs in water and in fish must be made to meet state water quality standards.
- We believe that we are obligated to provide a cleanup that results in fish that are clean, healthy, and safe for all to eat. The final result of the cleanup should be the lifting of the Fish Consumption Advisory related to PCBs for the Portland Harbor area by a specific date.
- We believe the community impacted by the cleanup must have regular opportunities for input during the construction phase. Furthermore, when specific data is obtained for the remedial design, it must be shared with the community.
- As detailed more explicitly in the comments we submitted with the Portland Harbor Community Coalition, the Portland Harbor site must be assessed through the lens of Environmental Justice. We believe the EPA has not adequately considered the EJ aspects of this site, so it must now take the appropriate action to enhance protective and remedial measures for the impacted communities.
- Similarly, we strongly believe that the EPA should allow Tribal Nations to have an oversight role in the cleanup process.
- We believe the EPA should lead the cleanup implementation effort after the ROD, and not the State of Oregon. While Oregon has an important role to play as this cleanup plays out, we do not think they should be leading the cleanup process.

In sum, the Oregon Chapter of the Sierra Club believes that Alternative G offers the best and most effective remediation of the Portland Harbor Superfund site, short of complete removal of all contaminated sediment. We therefore recommend the adoption of Alternative G with enhancements to further protect health and the environment and ensure the long-term effectiveness of the cleanup. Thank you very much for considering our comments and please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Rhett Lawrence", with a long horizontal flourish extending to the right.

Rhett Lawrence
Conservation Director