



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
OREGON OPERATIONS OFFICE  
805 SW Broadway, Suite 500  
Portland, Oregon 97205

January 28, 2011

David J. Breen  
Port of Portland  
7200 NW Airport Way  
Portland OR 97218

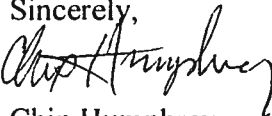
Dear Mr. Breen:

EPA has reviewed the Port's January 18, 2011 request for approval for the use of material from off-site sources at the Troutdale Reynolds Industrial Property (TRIP) for fill at the property. The Port's request included approval for use of material that meets risk-based levels for occupational use that has been approved for use through the DEQ Beneficial Use Determination (BUD) process, and confirmation that the Port will continue to be in compliance with the bona fide prospective purchaser landowner liability protections under CERCLA.

The Contaminated Media Management Plan (CMMP) for the Reynolds Metals Company Facility notes that the any party may seek pre-approval of an alternative procedure allowed by law for managing environmental media on the property. It further states that the pre-approval shall be obtained from the appropriate governmental agency after consultation with the DEQ and EPA. Based on DEQ's approval of the Port's application to use material from off-site sources that has been approved through DEQ's BUD process, and the Port's evaluation that the material will be at or below risk-based concentrations for occupational workers (or background levels for arsenic), EPA concurs with use of this material as fill at the TRIP. It is our understanding that none of the material would be placed on property that is located north of the Corps levee.

Please be advised that EPA's determination is related to the acceptability of use of this material as fill, and does not relieve the Port of other obligations (i.e., wetland mitigation requirements) that may apply to placement of fill material on the property. Also, as I advised you earlier this week, this letter is not addressing your request for confirmation that the Port will continue to be in compliance with the bona fide prospective purchaser landowner liability protections under CERCLA. I will contact you after I have consulted with legal counsel next week on that request.

If you have any questions regarding these matters please contact me at (503) 326-2678.

Sincerely,  
  
Chip Humphrey  
Remedial Project Manager

cc: Bruce Gilles, DEQ