

EXECUTIVE ORDER NO. 26-09

DETERMINATION OF A STATE OF DROUGHT EMERGENCY IN DOUGLAS, GILLIAM, HARNEY, LAKE and MALHEUR COUNTIES.

At the request of the Burns Paiute Tribe (through Burns Paiute Tribal Council Resolution 2026-06 and letter dated May 8, 2026), Douglas County (through Douglas County Board of Commissioners Order 2026-0375, dated April 29, 2026), Gilliam County (through Gilliam County Court Resolution R2026-05, dated May 6, 2026), Harney County (through Harney County Court Resolution 2026-16, dated May 6, 2026), Lake County (through Lake County Board of Commissioners Resolution 2026-01, dated May 5, 2026), and Malheur County (through Malheur County Court Declaration R26-19, dated May 27, 2026) and based on the recommendations of the Drought Readiness Council and input from the Water Supply Availability Committee dated May 20, 2026, and pursuant to ORS 536.740, I find that and moderate and severe drought conditions in Harney, Gilliam, Lake and Malheur Counties and moderate, severe and extreme drought conditions in Douglas County as well as the conditions described below will cause natural and economic disaster conditions in Douglas, Gilliam, Harney, Lake and Malheur Counties (collectively "Counties").

1. Above normal temperature conditions, below normal snowpack conditions, below normal precipitation conditions and long-term precipitation deficits, below normal streamflow conditions, and drier-than-normal soil moisture conditions in Douglas County.
2. Well above normal temperature conditions, just below normal precipitation conditions, below normal snowpack conditions, below normal precipitation conditions and drier-than-normal soil moisture conditions in Gilliam County.
3. Well above normal temperature conditions, long-term precipitation deficits, below normal snowpack conditions and drier-than-normal soil moisture conditions in Harney County.
4. Well above normal temperature conditions, long-term precipitation deficits, below normal streamflow conditions, below normal snowpack conditions and drier-than-normal-soil moisture conditions in Lake County.
5. Well above normal temperature conditions, precipitation deficits in southern parts of the county, below normal streamflow conditions, below normal snowpack conditions and drier-than-normal soil moisture conditions in Malheur County.



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Seasonal climate and drought outlooks indicate that drought conditions in the Counties are likely to persist. Drought is likely to have a significant economic impact on the agricultural, livestock, natural resource and recreational tourism sectors in the Counties.

Conditions continue to be monitored by the State's natural resource and public safety agencies, including the Oregon Water Resources Department, the Oregon Department of Emergency Management, the Oregon Office of the State Fire Marshal, and the Oregon Department of Forestry's Fire Protection Division.

Preparation and resiliency to drought are vital to the health and safety of persons, property, and the economic security of the citizens and businesses of these Counties. I, therefore, declare that a severe, continuing drought emergency exists and is likely to continue to exist in Douglas, Gilliam, Harney, Lake and Malheur Counties.

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

- I. The Oregon Department of Agriculture is directed to coordinate and provide assistance in seeking federal resources to mitigate drought conditions and assist in agricultural recovery in the Counties.
- II. The Oregon Water Resources Department and the Water Resources Commission are directed to coordinate and provide assistance to water users in the Counties as the Department and Commission determine necessary and appropriate in accordance with ORS 536.700 to 536.780.
- III. The Oregon Water Resources Department is directed to seek information from the Oregon Department of Fish and Wildlife to help understand the impacts of water availability on Oregon's fish and wildlife, as necessary and appropriate in accordance with ORS 536.700 to 536.780.
- IV. The Oregon Department of Emergency Management is directed to coordinate and assist as needed with assessment and mitigation activities to address current and projected conditions in the Counties.



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V. All other state agencies are directed to coordinate with the above agencies and provide appropriate state resources as needed to assist affected political subdivisions and water users in the Counties.

VI. This Executive Order expires on December 31, 2026.

Done at Salem, Oregon, this 9th day of June, 2026.



A handwritten signature in black ink, reading "Tina Kotek".

Tina Kotek
GOVERNOR

ATTEST:

A handwritten signature in black ink, reading "Tobias Read".

Tobias Read
SECRETARY OF STATE



EXECUTIVE ORDER NO. 26-10

PROCLAMATION OF STATE OF EMERGENCY DUE TO IMMINENT THREAT OF WILDFIRE

WHEREAS, under ORS 401.165 the Governor of Oregon may declare a state of emergency by proclamation upon determining that an emergency has occurred or is imminent.

WHEREAS, I find that the State of Oregon is at imminent risk of a critical fire danger situation.

WHEREAS, the extended climate forecast in Oregon calls for continued warm and dry conditions, resulting in imminent threat of fire, smoke, and heat over a broad area of the state. Additionally, widespread drought conditions are prevalent throughout the state.

WHEREAS, it is predicted that the state of Oregon will experience wildfires this season which could result in multiple State conflagrations and federal Fire Management Assistance Grant (FMAG) declarations, community evacuations, threatened and damaged critical infrastructure, and destroyed homes and other structures.

WHEREAS, the threat to life and property from wildfires is significant and could cause harm to persons as well as extensive damage to homes, public facilities, businesses, public utilities, and infrastructure, all impacting the life and health of people throughout Oregon and all of which affect life, health, property, or the public peace, and is a public disaster demanding immediate action; and

WHEREAS, the Oregon Department of Forestry and Oregon Department of the State Fire Marshal anticipate to be heavily engaged in initial and extended wildfire attack and Incident Management Teams.

WHEREAS, new, emerging, or existing fire threats elevate the need for access to state resources, including ground support and firefighting aircraft.

WHEREAS, multiple state agencies need to be prepared to expedite resources and respond effectively to these dangerous and dynamic conditions, if requested.

NOW THEREFORE, I, Tina Kotek, Governor of the State of Oregon, by virtue of the authority vested in me under ORS 401.165, do hereby proclaim that a statewide state of emergency exists across Oregon, effectively immediately. This declaration directs the plans and procedures in the Oregon State Comprehensive Emergency



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Management Plan be implemented. State agencies and departments are directed to utilize state resources in accordance with the Oregon State Comprehensive Emergency Management Plan and to do everything reasonably possible to assist affected political subdivisions in an effort to respond to, mitigate, and recover from the impacts of this emergency.

NOW, THEREFORE, IT IS DIRECTED AND ORDERED:

1. The Oregon Department of Emergency Management (OEM). OEM shall activate the State's Comprehensive Emergency Management Plan and coordinate necessary access to use of personnel and equipment of all state agencies necessary to assess, alleviate, respond to, mitigate, and recover from conditions caused by this emergency. OEM shall coordinate all essential protective measures in collaboration with the Oregon Department of Forestry, Oregon Department of State Fire Marshal in support of identified disaster areas to protect lives, property and environment. All Oregonians are to heed the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Oregon National Guard. The Oregon National Guard will deploy, and redeploy, firefighting resources as needed and in accordance with Operations Plan Smokey 2026 throughout the remainder of fire season based upon threat and resource shortfalls.
3. The Oregon Department of the State Fire Marshal (OSFM). OSFM is further authorized to assign fire-fighting forces and equipment on my behalf pursuant to ORS 476.520 in response to fire, a heightened danger of fire or a significant reduction in available fire-fighting resources during this emergency.
4. The Oregon Department of Forestry (ODF). ODF, in addition to authorities pursuant to ORS 477.066, is authorized to summarily abate the nuisance of uncontrolled fire, pursuant to ORS 477.064, thus constituted by controlling and extinguishing a fire that exists outside of a protection area to include but not limited to forestland as requested.
5. In conformance with the Comprehensive Emergency Management Plan, any local or tribal government request for state resources must be submitted through county or tribal governing bodies to the Oregon Department of Emergency Management.



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6. This determination of a wildfire emergency is statewide. It is not to be construed as a comprehensive declaration or proclamation of emergency for other purposes. It is limited to the use of state resources and personnel for fire management required by the emergency, to request assistance through the Emergency Management Assistance Compact if needed, and to allow state agencies to suspend provision of any order or rule of the agency if compliance with the provisions of the order or rule would in any way prevent, hinder or delay mitigating the effects of the wildfire emergency.
7. Duration: This order shall remain in effect until the threat is significantly relieved, or fire season ends, as determined by the Governor, or December 31, 2026, whichever occurs first.

Done at Salem, Oregon, this 15th day of June, 2026.



A handwritten signature in dark ink, appearing to read "Tina Kotek", written over a horizontal line.

Tina Kotek
GOVERNOR

ATTEST:

A handwritten signature in dark ink, appearing to read "Tobias Read", written over a horizontal line.

Tobias Read
SECRETARY of STATE

EXECUTIVE ORDER NO. 26-11

DETERMINATION OF A STATE OF DROUGHT EMERGENCY IN JOSEPHINE AND WASCO COUNTIES.

At the request of Josephine County (through Josephine County Board of Commissioners Resolution 2026-015, dated May 12, 2026) and Wasco County (through Wasco County Board of Commissioners Resolution 26-008, dated June 4, 2026) and based on the recommendations of the Drought Readiness Council and input from the Water Supply Availability Committee dated June 17, 2026, and pursuant to ORS 536.740, I find that and moderate and severe drought conditions in Josephine County and moderate, severe and extreme drought conditions in Wasco County as well as the conditions described below will cause natural and economic disaster conditions in Josephine and Wasco Counties (collectively "Counties").

1. Above normal temperature conditions, well below normal snowpack conditions, just below normal precipitation conditions and long-term precipitation deficits, below normal streamflow conditions, and drier-than-normal soil moisture conditions in Josephine County.
2. Above normal temperature conditions, well below normal snowpack conditions, just below normal precipitation conditions, below normal streamflow conditions and drier-than-normal soil moisture conditions in Wasco County.

Seasonal climate and drought outlooks indicate that drought conditions in the Counties are likely to persist. Drought is likely to have a significant economic impact on the agricultural, livestock, natural resource and recreational tourism sectors in the Counties.

Conditions continue to be monitored by the State's natural resource and public safety agencies, including the Oregon Water Resources Department, the Oregon Department of Emergency Management, the Oregon Office of the State Fire Marshal, and the Oregon Department of Forestry's Fire Protection Division.

Preparation and resiliency to drought are vital to the health and safety of persons, property, and the economic security of the citizens and businesses of these Counties. I, therefore, declare that a severe, continuing drought emergency exists and is likely to continue to exist in Josephine and Wasco Counties.



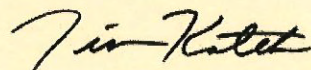
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NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

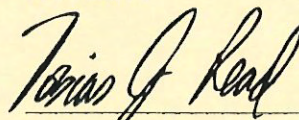
- I. The Oregon Department of Agriculture is directed to coordinate and provide assistance in seeking federal resources to mitigate drought conditions and assist in agricultural recovery in the Counties.
- II. The Oregon Water Resources Department and the Water Resources Commission are directed to coordinate and provide assistance to water users in the Counties as the Department and Commission determine necessary and appropriate in accordance with ORS 536.700 to 536.780.
- III. The Oregon Water Resources Department is directed to seek information from the Oregon Department of Fish and Wildlife to help understand the impacts of water availability on Oregon's fish and wildlife, as necessary and appropriate in accordance with ORS 536.700 to 536.780.
- IV. The Oregon Department of Emergency Management is directed to coordinate and assist as needed with assessment and mitigation activities to address current and projected conditions in the Counties.
- V. All other state agencies are directed to coordinate with the above agencies and provide appropriate state resources as needed to assist affected political subdivisions and water users in the Counties.
- VI. This Executive Order expires on December 31, 2026.

Done at Salem, Oregon, this 22nd day of June, 2026.




Tina Kotek
GOVERNOR

ATTEST:


Tobias Read
SECRETARY OF STATE



Public Notice

DEQ Requests Comments on Proposed Certificate of Completion for M Carter Commons Property

Date posted: 7/1/26

The Oregon Department of Environmental Quality invites the public to submit written comments on a proposed Certificate of Completion for cleanup work performed at the M Carter Commons property in Portland.

How to provide public comment

Facility name: M Carter Commons

Project location: 3675 N. Interstate Ave., Portland

Comments due by: July 31, 2026, at 5 p.m.

Submit written comments:

By mail: Brian Church, Oregon DEQ, 700 NE Multnomah St., Suite 600, Portland, Oregon 97232

By email: brian.church@deq.oregon.gov

Proposal highlights

The Oregon Department of Environmental Quality is proposing to issue a Certificate of Completion in the form of an agreement with M Carter Commons Limited Partnership for the M Carter Commons property in Portland. The Certificate of Completion documents DEQ's finding that M Carter Commons Limited Partnership satisfactorily completed required work for site redevelopment and that no further remedial actions are required to protect public health and the environment. This is conditional upon adherence to specific conditions documented in a property deed restriction called an Easement and Equitable Servitudes.

Background

The M Carter Commons site is located at 3675 N. Interstate Avenue in Portland. The site was used for various purposes over time. In 1909, a gulch, including what is now Overlook Park, along the southern portion of the property was filled with municipal waste. Between 1924 and 1961, the property had two residences with detached garages constructed partially over the landfill. The Overlook Enco Service and Gasoline Station operated on the property from 1961 to 1971. This period included the installation of several underground storage tanks for fuel and above-ground fuel dispenser islands. A hoist and sump were constructed inside the gas station for servicing vehicles, and a tank was installed to collect waste oil. A heating oil tank was installed to heat the gas station building. The building was converted to an office in 1971 and expanded between 1971 and the 1990s. Kaiser Permanente purchased the property in 1981 for office and landscaping equipment storage.

Environmental investigations identified potential concerns associated with the historical landfill materials, including landfill gases like methane, as well as potential petroleum and waste oil releases from underground storage tanks, a heating oil tank, and a hoist and sump in the former service station area. On Nov. 22, 2024, M Carter Commons Limited Partnership entered into a Consent Order Prospective Purchaser Agreement, or PPA, with DEQ. The PPA included a scope of work for additional investigation and cleanup actions to ensure that contaminants in soil and possible methane and soil vapors beneath site buildings do not pose an unacceptable risk to residents of the planned residential facility. In lieu of soil sampling for volatile organic contaminants, the scope of work was adjusted to include construction of a vapor mitigation system to proactively manage soil vapors and to allow for vapor and landfill gas monitoring.

Under the PPA scope of work, M Carter Commons Limited Partnership agreed to:

- Investigate the heating oil tank, hoist, and sump areas for soil contamination. This was later modified to investigate soil vapor risks associated with potential contamination in these areas.
- Investigate petroleum contamination around the former underground storage tank pit.
- Investigate and, if necessary to protect human health, cap contamination in surface fill materials in the former landfill area that would not be covered by the building's footprint.
- Investigate methane associated with former landfill materials.
- Prepare a Remedial Action Plan to address any risks associated with soils, vapors, or landfill gases.
- If required to implement a remedial action to address vapor intrusion or methane risks, perform appropriate monitoring to demonstrate system performance and effectiveness.
- Investigate a possible tank identified during geophysical survey.
- Prepare a Hazardous Building Materials Survey Plan, Contaminated Media Management Plan, Soil Cap Management Plan, and provide stormwater management plans for the site
- Prepare a Closeout Report to document all actions taken throughout the cleanup project.

DEQ has determined that M Carter Commons Limited Partnership has satisfactorily completed the scope of work including placement of a soil cap, development of various DEQ-approved plans, installation of a vapor mitigation system, and execution of an Easement and Equitable Servitudes for the site. No further remedial actions are required of M Carter Commons Limited Partnership at the site to protect public health, safety and the environment, conditional upon adherence to the restrictions in the Easement and Equitable Servitudes, including a DEQ-approved Performance Monitoring Plan to monitor soil vapor under DEQ oversight.

DEQ created the Prospective Purchaser Agreement program in 1995 through amendments to the state's Environmental Cleanup Law. The Prospective Purchaser Agreement is a tool that expedites the cleanup of contaminated property and encourages property transactions that would otherwise not likely occur because of the liabilities associated with purchasing a contaminated site.

For more information

View cleanup site and project information on [Your DEQ Online](#). [View project documents online](#).

If you do not have web access and want to review the project file, contact Brian Church, DEQ project manager, at 503-830-4442 or brian.church@deq.oregon.gov to view the documents at a DEQ office.

Environmental Cleanup Site Information (ECSI) ID: 6702

The next step

DEQ will consider any comments received during the comment period once it closes. If DEQ determines to issue the Certification of Completion for the PPA, it will be executed by DEQ.

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

For translation and other formats, visit DEQ's [Civil Rights and Environmental Justice page](#).



Public Notice

DEQ Requests Comments on Proposed No Further Action for Galvanizers Co. in Portland

Date posted: June 16, 2026

The Oregon Department of Environmental Quality invites the public to submit written comments on the conditions of Galvanizers Co. proposed No Further Action determination for its cleanup site in Portland.

How to provide public comment

Facility name: Galvanizers Co.

Project location: 2406 NW 30th Ave. in Portland

Comments due by: July 30, 2026 at 5 p.m.

Submit written comments:

By mail: Jim Orr, DEQ Project Manager, 700 NE Multnomah St., Suite 600, Portland, OR 97232

By email: jim.orr@deq.oregon.gov

Proposal highlights

The property is currently occupied by Galvco. Galvco has completed several subsurface investigations and performed risk evaluation to demonstrate there are no unacceptable risks for current receptors. In addition, DEQ issued a source control evaluation and decision. Institutional controls are proposed for the Galvco site to protect future receptors from potential unacceptable risks.

Background

The property was historically used for galvanizing metal parts.

For more information

Visit DEQ's Your DEQ Online for more information and to view documents at ordeq.org/Galvco.

If you do not have web access and want to review the project file, contact DEQ Project manager Jim Orr at 503-961-2647 or jim.orr@deq.oregon.gov to view the documents in person at a DEQ office.

The next step

DEQ will consider all public comments received by the date and time stated above before making a final decision regarding the proposed no further action for the site.

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

For translation and other formats, visit DEQ's [Civil Rights and Environmental Justice page](#).



Public Notice

DEQ Requests Comments on the Recommended Remedial Action for Umpqua River Navigation Dry Dock Cleanup Site No. 5361

Date posted: 07/01/26

The Oregon Department of Environmental Quality invites the public to submit written comments on the Staff Report Recommended Remedial Action for the Umpqua River Navigation Dry Dock Cleanup Site near Reedsport

How to provide public comment

Facility name: Umpqua River Navigation Dry Dock

Project location: Reedsport, Oregon

Comments due by: Friday, July 31 at 5 p.m.

Submit written comments:

By mail: Margaret Oscilia, Oregon DEQ, 165 E. Seventh Ave., Suite 100, Eugene, Oregon 97401

By email: margaret.oscilia@deq.oregon.gov

Proposal highlights

DEQ is recommending a remedial action for the Umpqua River Navigation Dry Dock site located in Douglas County immediately north of Reedsport. The site is also known locally as the Bolon Island Graving Dock. The recommended remedial action addresses the presence of benzo(a)pyrene in soil and potential migration of contaminants of concern. The action consists of consolidation and encapsulation of contaminated soil in the former graving dock area and implementation of institutional controls.

Background

The site is located on the west side of Bolon Island between Highway 101 and the railroad. Bolon Island is north of Reedsport. The site covers approximately 15 acres. The site is zoned heavy industrial and is bounded by the Umpqua River to the south and southwest, a railroad to the east and southeast, the Umpqua River to the northeast, and undeveloped property to the north and west.

Most of the site is currently undeveloped and heavily vegetated. Approximately 2.2 acres of the site were developed as a graving dock with associated support structures sometime between 1945 and 1954 by Umpqua River Navigation. Changes to the site since initial development have been minimal. The graving dock was acquired by LTM Incorporated, dba Knife River Materials, in May 2000. Since the purchase of Umpqua River Navigation by Knife River Materials in May 2000 the site was used exclusively by Umpqua River Navigation for the maintenance of its river mining equipment, such as dredge and barges, until 2011.

The graving dock was used to maintain dredges and barges, including sand blasting of hulls painted with anti-fouling paint containing various metals including tributyltin. An oil stove was used in the lunchroom. As the result of these activities multiple contaminants are present in soil and sediment at the site. Tributyltin was detected in the estuary sediment at concentrations that exceeded protective ecological and human health concentrations. However, Based on human health and ecological risk assessments reviewed and approved by DEQ, it was determined that tributyltin exposure pathways are incomplete, and it does not pose unacceptable risk to human health and the environment under current and likely future site use scenarios.

Diesel-range hydrocarbons, oil-range hydrocarbons, polycyclic aromatic hydrocarbons, polychlorinated biphenyls, lead, naphthalene and tributyltin were detected in upland soil. Concentrations of benzo(a)pyrene in upland soil are not protective of direct contact to occupational workers in the likely future site use scenario and require remediation.

The recommended remedial action consists of engineering and institutional controls. The existing graving dock will be sealed, backfilled with clean soil or gravel to above the mean high-water elevation. Then contaminated soil will be placed in the graving dock, including soil stockpiles contaminated with tributyltin and benzo(a)pyrene and in-place soil that exceeds the numerical remedial objective. Then a permeable geotextile fabric will be placed over exposed soil and covered with at least six inches of clean gravel.

Institutional controls would include a site management plan and deed restriction. The deed restriction will be in the form of an easement and equitable Servitudes and include requirements to leave the concrete floor within the graving dock in place and prohibit the installation of a water supply well at the Site. The site management plan will include provisions for long-term maintenance of the gravel cap and periodic monitoring and review that will evaluate the performance of the remedy and any changes that may affect the ability of the remedy to meet the remedial action objectives.

For more information

Visit DEQ's Your DEQ Online for more information and to view documents [about the Umpqua River Navigation Dry Dock](#).

If you do not have web access and want to review the project file, contact Margaret Oscilia at 503-726-6522 or margaret.oscilia@deq.oregon.gov to view the documents in person at a DEQ office.

Environmental Cleanup Site Information ID: 5361

The next step

After the formal comment period closes, DEQ will review, respond to, and consider any received comments before finalizing the recommended remedial action. The remedial action will then be required and finalized in a published document titled Record of Decision.

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

For translation and other formats, visit DEQ's [Civil Rights and Environmental Justice page](#).



Public Notice

DEQ Requests Comments on Proposed Prospective Agreement for Former Tarr/Conger Northwest Inc Site in Portland

Date posted: 07/01/2026

The Oregon Department of Environmental Quality invites the public to submit written comments on the proposed Prospective Purchaser Agreement with Borthwick Holdings LLC for the purchase and redevelopment of the former Tarr/Conger Northwest Inc. site in Portland.

How to provide public comment

Facility name: Former Tarr/Conger Northwest Inc.

Project location: 2429 N Borthwick Avenue,
Portland

Comments due by: Aug. 3, 2026 at 5 p.m.

Submit written comments:

By mail: Heidi Nelson, Oregon DEQ, 700 NE
Multnomah Street, Suite 600, Portland, OR 97232

By email: heidi.nelson@deq.oregon.gov

Proposal highlights

The Oregon Department of Environmental Quality proposes entering into a Prospective Purchaser Agreement with Borthwick Holdings LLC for a 1.75-acre project site consisting of the former Tarr/Conger Northwest Inc. properties. The project site is in North Portland's historic Albina neighborhood.

Borthwick Holdings LLC plans to purchase the properties currently owned by Conger Northwest Inc. and redevelop the property as part of a nearby mixed-use neighborhood, incorporating residential units and public amenities. This effort is aligned with the broader Albina Vision initiative to revitalize the historic Albina community in North Portland.

Background

The properties are part of the historic Conger Northwest Inc. site, also known as the Priestley/Tarr facility or Tarr Inc. The area was first developed for residences in the late 1800s, and people continued living there until about the late 1940s.

The area gradually became more commercial and industrial over time. Parts of the Conger facility were developed between 1958 and 1961 for chemical storage and distribution. Structures were built that included office space, a loading area for trucks, underground storage tanks, and large aboveground storage tanks.

From the 1960s through the 1980s, additional buildings and features were established including warehouses, office buildings, a maintenance shop, a clean room, storage tank areas, and a fuel dispensing station for vehicles. The warehouses supported a variety of industrial activities such as chemical storage, painting, blending chemicals, and packaging materials.

In 1990, 18 chemical storage underground storage tanks were removed from the facility. These tanks stored gasoline, diesel, fuel oil, petroleum solvents, chlorinated solvents, and alcohols. In 1991, approximately 4,000

cubic yards of petroleum-impacted soil were excavated and transported off site for disposal as non-hazardous waste.

Environmental investigations at the site took place between 1991 and 2001 and included testing of soil, groundwater, and nearby surface water. In 2005, the owner entered into DEQ's Voluntary Cleanup Program to work with the agency on evaluating and addressing environmental conditions at the site. DEQ later issued a final cleanup plan, known as a Record of Decision, in 2017, which required installing a specialized treatment wall, called a permeable reactive barrier, to help clean contaminated groundwater as it moves underground.

Long-term monitoring of groundwater and soil gas is ongoing to track environmental conditions on and around nearby properties. In addition, the property is subject to a deed restriction that limits the use of groundwater at the site.

Under the terms of the proposed agreement, Borthwick Holdings LLC will:

- Obtain a 1200-C construction stormwater general permit to manage stormwater discharge during development activities. This includes developing a Contaminated Media Management Plan and Inadvertent Discovery Plan to manage contamination during future redevelopment at the site.
- Evaluate potential vapor intrusion risks during development and work with DEQ to develop a plan for addressing any risks identified on the property.
- Manage impacted soil in utility corridors and planned excavations.
- Implement engineering and/or institutional controls, to prevent exposure to remaining contaminants in soil and/or soil vapor.

As part of the agreement, the previous owner will retain responsibility for fulfilling the requirements of the previously issued Consent Order for the property. All work will be conducted subject to DEQ approval and oversight.

A deed restriction will be developed to maintain any engineering controls implemented to protect human health and the environment as part of future site development activities.

DEQ created the Prospective Purchaser Agreement program in 1995 through amendments to the state's Environmental Cleanup Law. The agreement is a tool that expedites the cleanup of contaminated property and encourages property transactions that would otherwise not likely occur because of the liabilities associated with purchasing a contaminated site.

The proposed agreement will provide Borthwick Holdings LLC with a release from liability for claims by the State of Oregon under ORS 465.200 to 465.545 and 465.990, 466.640 and 468B.310 regarding existing hazardous substance releases at or from the property. The proposed agreement will also provide Borthwick Holdings LLC with third party liability protection.

For more information

See draft Prospective Purchaser Agreement documents in the [Your DEQ Online public records portal](#). [See other cleanup documents online](#).

If you do not have web access and want to review the project file, contact Heidi Nelson at 503-979-5127 or heidi.nelson@deq.oregon.gov to view the documents in person at a DEQ office.

Environmental Cleanup Site Information ID: 6785

The next step

DEQ will consider all public comments received by the date and time stated above before making a final decision regarding this proposed Prospective Purchaser Agreement.

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

For translation and other formats, visit DEQ's [Civil Rights and Environmental Justice page](#).