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## AGENDA COVER MEMORANDUM

**Agenda Date: November 3, 2004**

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**DATE:** October 20, 2004

**TO:** Board of County Commissioners

**DEPARTMENT:** Management Services

**PRESENTED BY:** Jeff Turk, Property Management Officer 2

**SUBJECT:** IN THE MATTER OF AUTHORIZING SUBMITTAL OF GRANT APPLICATIONS TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE FUNDING FOR REMEDIATION OF COUNTY OWNED TAX FORECLOSED PROPERTY CONTAINING HAZARDOUS WASTE (267 VAN BUREN ST., EUGENE, 86714 MCVAY HWY., EUGENE)

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1. **PROPOSED MOTION:** THE BOARD MOVES TO AUTHORIZE THE SUBMITTAL OF GRANT APPLICATIONS TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE FUNDING FOR REMEDIATION OF COUNTY OWNED TAX FORECLOSED PROPERTY CONTAINING HAZARDOUS WASTE (267 VAN BUREN ST., EUGENE, 86714 MCVAY HWY., EUGENE)
2. **ISSUE/PROBLEM:** The county has acquired 2 properties through tax foreclosure which are known to be contaminated with petroleum products. Grant funding for cleanup is available from the EPA (competitive selection and award). Board authorization is required to apply for the grant funding.
3. **DISCUSSION:**

3.1 Background

The county has acquired property located at 267 Van Buren St., Eugene and at 86714 McVay Hwy., Eugene (near LCC). Both properties have been identified as containing hazardous material in the form of petroleum products.

The EPA has grant funding available for remediation of properties contaminated with petroleum products. The basic requirements are:

- Grants are available only to governmental, tribal and non-profit entities.
- Properties must be owned by the applicant.
- Awards of up to \$200,000 per property.
- 20% match of EPA funding required by applicant (match can include in kind services but not administrative costs).
- Performance period is 2 years from when funds are allocated.
- Grants are awarded on a competitive basis.
- Grant applications are due November 12, 2004.
- Awards expected to be made in March or April 2005 with funds available 3 months after award.

Information required in the grant application and for which points are awarded for competitive selection include:

- Notification of the community of the county's intent to prepare and submit the grant (can be published notice in newspaper and/or press release).
- Opportunity given to the community to comment and provide input prior to submission of the grant (does not have to be a public hearing, county staff can be made available at a certain time and place to receive comment and provide information)
- Anticipated use of the property after cleanup – is there a specific project identified.
- Economic/Social benefit to the community.

The McVay Hwy. property is a former Franko gas station. It is .60 acres, zoned rural commercial and lies outside of any city's limits or urban growth boundaries. The DEQ estimates that cleanup costs for the property will be \$240,000. Estimated market value of the property, if clean, is \$75,000. The required cost share by the county would be \$40,000 (EPA provides \$200,000).

SeQuential Biofuels is interested in obtaining the property for its business operations and has contacted the county about entering into a partnership with the county and DEQ for the cleanup and purchase of the property. SeQuential Biofuels markets and distributes biodiesel – diesel fuel made from vegetable oil. SeQuential has offices/distribution centers in Eugene, Portland, Corvallis and Phoenix in Oregon and in Olympia and Orcas Island in Washington. SeQuential has spoken of contributing up to \$50,000 towards the purchase and/or cleanup costs of the property. SeQuential's contribution would satisfy the county's cost share requirement.

County staff (Peter Thurston, the county's economic development coordinator has also been involved) has had discussions with the DEQ and SeQuential to discuss how a partnership might work. Briefly, the county, with assistance from the DEQ, would submit the grant application to the EPA. The county, would first offer the property at a Sheriff's sale and, assuming the property would not be sold (likely, given the condition of the property), would then negotiate a lease/purchase option agreement with SeQuential, with SeQuential occupying the property by January, 2005 for business use. Concurrently, SeQuential, the county and the DEQ enter into a Prospective Purchaser Agreement (PPA) (PPA's limit a purchaser's liability and outline the purchasers role in remediation actions). Transfer of the property would occur at the conclusion of the cleanup which may take up to 2 years.

Additionally, the DEQ would use DEQ funds to conduct additional investigations of the property and write a prescription for remediation actions. This would occur in December or January.

The property located at 267 Van Buren is .30 of an acre (86'x160') and is zoned S-W (Whiteaker Special Area Zone which provides for commercial and residential use with site review required). A shop building is also on the property. Prior use of the property was industrial with a heating oil and solvent distributor located on the site. Estimated market value of the property, if clean, is \$80,000.

A level II environmental analysis has been done on the site and revealed significant soil contamination. Estimated cleanup costs are \$100,000. The county's contribution would be \$20,000. Funds would be budgeted from the tax foreclosure program.

No specific development project has been identified for the property at this time. Separate grant applications will be submitted for each property.

A public notice of the county's intent to apply for the grants was published in the Register Guard on October 19, 2004. The notice provided basic information on the grant applications including the involvement of SeQuential Biofuels. The notice also informed the public that the Board would discuss the applications at their Nov. 3<sup>rd</sup> meeting and encouraged submitting comments, either written or oral at the meeting. A news release concerning the grants has also been distributed.

### 3.2 Analysis

The subject properties have little or no marketability at this time. The EPA grants, if secured, would provide 80% of the funding for cleanup of the properties. Based on estimated cleanup costs for the property at 267 Van Buren, the county would be required to contribute up to \$20,000 to the project. Funds from the sale of other foreclosed properties could be used for the county's contribution. The \$40,000 which may be needed for the

county's contribution for the McVay Hwy. property could be secured through an agreement with SeQuential Biofuels – either as a direct contribution to the project or payment to the county for the sale of the property.

Concerning the McVay Hwy. property, a grant application can be submitted without identifying specific redevelopment plans (as will be the case with the Van Buren property) and without any association with SeQuential at this time. If the grant is awarded, the county would proceed with the cleanup, using its own funds for the 20% match, and could market the property to any buyer upon completion of the cleanup.

The DEQ is of the opinion that having a potential buyer and an end use of the property identified when submitting the grant application will greatly increase the likelihood of the county being awarded the grant. The DEQ is supportive of a collaboration with SeQuential Biofuels and is willing to commit DEQ resources for the project (money and staff time) and has committed to doing further assessment of the property to further quantify contamination and prescribe cleanup actions. DEQ's level of support may not be as high if SeQuential was not involved.

Having a buyer/user of the property identified at this time would secure funding for the county's contribution of clean up costs and expedite use of the property for productive purposes.

### 3.3 Alternatives/Options

1. Authorize submittal of the grant applications both properties citing a county partnership with SeQuential Biofuels as a redeveloper of the McVay Hwy. property.
2. Authorize staff to proceed with the grant application process without identifying any specific end use of either property.
3. Authorize staff to proceed with applying for a grant for only one of the properties.
4. Do not have the county apply for any of the grants.

### 3.4 Recommendation

It is recommended that alternative 1 be pursued.

### 3.5 Timing

Grant application deadline is November 12, 2004.

4. **IMPLEMENTATION/FOLLOW-UP:** Upon direction from the Board to proceed, staff will proceed with finalizing the grant applications for submittal by the November 12 deadline.
5. **ATTACHMENTS:**
  - Grant Questionnaire
  - Board Order
  - Letter From SeQuential Biofuels.
  - Plat Maps
  - Grant Applications

## **APM Grant Questionnaire for EPA Cleanup Grant**

### **1. What is the match requirement, if any, and how is that to be covered for the duration of the grant?**

The EPA grants require a 20% match by the applicant. For the McVay Hwy. property, the 20% match (maximum of \$40,000) would be covered by SeQuential Biofuels, either as payment in the form of a sale price or direct payment for the cleanup work being done on the property. In the event SeQuential Biofuels is not involved with the project. The 20% match would come from the tax foreclosure budget (non General Fund money).

The 20% match (\$20,000) for the Van Buren property would need to be covered from the tax foreclosure budget with funds made available from the sale of other properties. Funds would be recouped upon sale of the property (\$75,000 market value).

### **2. Will the grant require expenditures for Material and Services or capital not fully paid for by the grant?**

Some incidental costs for printing and copying will not be covered by the grant. All material and services directly related to cleanup actions, up to the awarded amount, will be covered.

### **3. Will the grant funds be fully expended before county funds need to be spent?**

The timing of when the applicant expends its funds is not specified. Grant funds could be drawn upon first. The county will need to match 20% of all grant funds expended.

### **4. How will the administrative work of the grant be covered if the grant funds don't cover it?**

Administrative work not covered by the grant will be included in the Property Management budget/work plan.

### **5. Have grant stakeholders been informed of the grant sunset policy so there is no misunderstanding when the funding ends? Describe plan for service if funding does not continue.**

SeQuential Biofuels understands that grant funds must be expended within 2 years. Funds contributed by Sequential which exceed the 20% match will be set aside to cover additional costs that may be incurred after the 2 year period.

### **6. What accounting, auditing and evaluation obligations are imposed by the grant conditions?**

A budget/work plan is required when submitting the grant. Documentation of work performed must be submitted to the EPA to release grant funds (i.e., statements from contractors). EPA releases funds directly to the county and the county would make

## **APM Grant Questionnaire for EPA Cleanup Grant**

payments through normal bill paying process. DEQ over site of the work is required to issue a No Further Action letter.

**7. How will the department cover the accounting, auditing and evaluation obligations? How are the costs for these obligations covered, regardless whether they are in the department submitting the grant or a support service department? Does the department acknowledge that the county will need to cover these costs and it is an appropriate cost incurred by support service departments?**

DEQ oversight will be a grant covered expense. Property Management staff and budget will cover additional accounting and cost obligations.

**8. Are there any restrictions against applying the county full cost indirect charge?**

Yes. The EPA grant does not provide for administrative and overhead costs

**9. Are there unique or unusual conditions that trigger additional county work effort, or liability, i.e., maintenance of effort requirements or supplanting prohibitions or indemnity obligations?**

To accomplish the work authorized by the grant, and to include the involvement of SeQuential Biofuels, will require contract agreements between/among the county, DEQ and SeQuential Biofuels. The agreements will address the lease and sale of the McVay Hwy. property, Prospective Purchaser Agreement between DEQ, the county and SeQuential and other agreements to address each entity's obligations.

These agreements will require review by County Counsel. County Counsel costs will be billed directly to Property Management.

It is possible that cleanup costs may exceed the total of the grant award and 20% match. The county or a prospective purchaser may need to expend additional funds to complete cleanup actions. The DEQ has provided the cost estimates for the cleanup work and it is expected to be completed within the budget they have provided.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AUTHORIZING SUBMITTAL OF  
GRANT APPLICATIONS TO THE FEDERAL  
ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE  
FUNDING FOR REMEDIATION OF COUNTY OWNED TAX  
FORECLOSED PROPERTY CONTAINING HAZARDOUS  
WASTE (267 VAN BUREN ST., EUGENE, 86714 MCVAY  
HWY., EUGENE)

WHEREAS Lane County has acquired through tax foreclosure real property located at 267 Van Buren St., Eugene, and 86714 McVay Hwy., Eugene with said properties further identified as Assessor's map #s 17-04-25-44-00900 and 18-03-10-10-03200 and

WHEREAS said real property has been identified as containing hazardous material in the form of petroleum products and

WHEREAS grants are available from the federal Environmental Protection Agency to assist local governments for the clean up of such property with said grants providing 80% of clean up costs

IT IS HEREBY ORDERED that Lane County shall submit grant proposals to the Environmental Protection Agency substantially similar to attached exhibits A and B for the properties located at 267 Van Buren St. and 86714 McVay Hwy., Eugene. and that the county administrator, or his designate, is authorized to sign said grant applications.

IT IS FURTHER ORDERED that the county administrator, or his designate, is authorized to execute said grant applications for submittal and documents required to accept said grant if awarded.

IT IS FURTHER ORDERED, that this Order shall be entered into the records of the Board of Commissioners of the County.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Bobby Green, Chair  
Lane County Board of Commissioners

IN THE MATTER OF AUTHORIZING SUBMITTAL OF GRANT APPLICATIONS TO THE FEDERAL  
ENVIRONMENTAL PROTECTION AGENCY TO PROVIDE FUNDING FOR REMEDIATION OF  
COUNTY OWNED TAX FORECLOSED PROPERTY CONTAINING HAZARDOUS WASTE (267  
VAN BUREN ST., EUGENE, 86714 MCVAY HWY., EUGENE)





the simple choice

**Details of Benefits Offered by SeQuential Biofuels in the Proposed Partnership for Remediating and Developing Derelict Gas/Service Station in Lane Co.**

SeQuential brings the following positive benefits to the project:

- SeQuential will contribute a certain amount of financial resources to be used by the County for cleaning up the site, thus doing a public service of eliminating a source of ground pollution effecting the surrounding community.
- SeQuential will develop on the site the first commercial/retail, multi-product biofuels station in the North West.
- The station will help stimulate awareness and demand for biofuels that could in turn be produced in Oregon, helping to reinvigorate the state's agricultural economy.
- This redevelopment of the existing site will generate renewed revenue for the County in the form of property taxes.
- Also, three living wage on-site jobs will be created as well as several management positions.
- SeQuential also hopes to recruit employees from the local community college. Lane Community College has a renewable energy technician program, which is training students for a dynamic, fast growing new industry. The station may act as a training conduit for this industry that could in turn lead to the development of more sophisticated renewable energy businesses in Lane County.
- Finally, SeQuential intends to highlight the remediation work being done on the site as well the three-way collaboration that enabled the project to move forward, through on-site information displays. Thus illustrating the positive social, economic & environmental benefits of government & private business partnerships working together effectively on the local level.



## **Proposal for EPA Brownfields Cleanup Grant**

### **Applicant Information**

**A. Project Title:** McVay Highway Biofueling Station Site

**B. Grant Type:**

- 1) Type of Grant: Cleanup
- 2) Type of Contamination: Petroleum

**C. Total Dollar Amount Requested:** \$200,000 in federal funds for petroleum cleanup

**D. Name of Applicant:** Lane County, Oregon

**E. Project Contact:**

Jeff Turk  
Lane County Property Management

Mailing Address:  
Lane County Building  
125 East 8th Avenue  
Eugene, OR 97401  
Voice mail: (541) 682-4174  
Fax: (541) 682-4290  
Email: [jeff.r.turk@co.lane.or.us](mailto:jeff.r.turk@co.lane.or.us)

**F. Chief Executive:**

Bill Van Vactor  
County Administrator

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125 East 8th Avenue  
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Fax: (541) 682-4616  
Email: [bill.vanvactor@co.lane.or.us](mailto:bill.vanvactor@co.lane.or.us)

**G. Location:** The area targeted by this application includes the Eugene-Springfield metropolitan area, the Lane County area in general, and areas serviced by Interstate 5. A vicinity map of Lane County showing the location of the project and the surrounding area is included in Attachment A.

**H. Population:** The population of Lane County is 329,400 persons.

**I. Other:** The specific site is not in a federally designated Empowerment Zone/Enterprise Community; or a federally designated Renewal Community, though there are state designated enterprise zones in several Lane County communities that would be positively impacted by the site redevelopment scenario.

### **Threshold Criteria for Cleanup Grants**

- A. Applicant Eligibility:** Lane County is a general purpose unit of local government. Lane County took ownership of the property on September 29, 2004 through tax foreclosure, and Lane County holds a fee simple title to the property. The site is an eligible petroleum brownfield site under the EPA guidelines.
- B. Community Notification:** A news release was sent to local newspapers and area media describing the County's grant application and requesting public comments on the application. In addition, a public notice of Lane County's intent to apply for the cleanup grant was published in the *Eugene Register Guard*, a newspaper of general circulation within Lane County.

Both the news release and the public notice described the grant application, the County's collaboration with an identified redeveloper of the property – SeQuential Biofuels – and requested comment on the grant application. In addition, the news release and public notice informed the community that the Lane County Board of Commissioners (the governing body of Lane County) would discuss the grant application in advance of submittal to EPA at a public meeting on November 3, 2004, that the community was welcome to speak on the matter at the public meeting and could also view a draft of the grant application. A draft of the application was available for public review after October 21<sup>st</sup>.

The Russell Creek Neighbors Association and the Goshen Area Neighborhood Association, local community organizations in the area of the project site, were directly notified of the grant application and urged to submit comments and/or seek more information on the matter from the county.

Copies of the news release, public notice and letters mailed to community organizations are included in Attachment B.

- C. Letter from the State or Tribal Environmental Authority:** A letter from the Oregon Department of Environmental Quality (ODEQ) is included as Attachment C.
- D. Site Eligibility and Property Ownership Eligibility:**
- 1a. The site is not listed or proposed for listing on the National Priorities List.
  - 1b. The site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
  - 1c. The site is not subject to the jurisdiction, custody, or control of the United States government.
  - 2a. The site name is the McVay Highway property.
  - 2b. The site address is 86714 McVay Highway, Eugene, Lane County, Oregon. McVay Highway is a commercial frontage road immediately parallel to and west of Interstate 5, within the Eugene-Springfield metropolitan area. The site is at the intersection of McVay

Highway and Bloomberg Road, directly west of Interstate I-5, bordered to the north and south by commercial properties along McVay Highway and to the west by residential properties accessible from Bloomberg Road .

- 2c. The site is contaminated by petroleum substances.
- 2d. The site was formerly known as the Franko #15 service station, and operated as a gasoline service station until August 1991 when the operator and former owner filed Chapter 7 bankruptcy and the property was turned over to the bankruptcy estate. The property has not been in active use since August 1991, and recently was acquired by Lane County through tax foreclosure. The service station building and canopy remain, however, the property is currently vacant and is not in active use.
- 2e. Underground storage tanks (UST) at the former gasoline service station consisted of one 5,000-gallon, one 7,000-gallon and one 12,000-gallon gasoline tanks, one 550-gallon waste oil tank and one 200-gallon heating oil tank. All five underground storage tanks were decommissioned and removed by the former owner of the property in March 1996 from four separate excavations. Site assessments conducted concurrently with and after removal, including monitoring wells installed in 1997, revealed groundwater contaminated with petroleum hydrocarbons near and downgradient of the removed USTs. One monitoring well sample in 2000 revealed measurable free product.
3. The site does not require a property-specific determination. The site has not received funding for cleanup from the LUST trust fund and the site does not fall under any of the other exclusions from funding eligibility.
4. – 7. N/A.
8. Petroleum Sites: ODEQ has determined that the site is a relatively low risk, there is no viable responsible party, the applicant is not potentially liable for the petroleum contamination, and the site is not subject to corrective action under RCRA. ODEQ's determination and concurrence letter is included as Attachment D.
- 8a. The current owner of the site is Lane County, Oregon. The immediate past owner of the site is SML Associates, Inc.
- 8b. The current owner – Lane County, Oregon – acquired the property on September 29, 2004 through tax foreclosure.
- 8c. All contamination identified at the site is related to historic operations which took place prior to Lane County's acquisition by foreclosure on September 29, 2004. The current owner – Lane County, Oregon – did not dispense or dispose of petroleum or petroleum product at the site. The current owner has taken and is taking reasonable and prudent steps to avoid exacerbation of pre-existing groundwater contamination at the site. The immediate past owner – SML Associates, Inc. – did not dispense or dispose of petroleum or petroleum product at the site. The immediate past owner took reasonable steps to avoid exacerbation of pre-existing groundwater contamination at the site.
- 8d. Lane County, as the applicant and current owner, has not dispensed or disposed of petroleum or petroleum product at the site. Lane County has not exacerbated the existing petroleum contamination at the site. Lane County intends to remove solid waste present on the site, thus removing incentives to

trespass and leave additional solid waste at the property. In addition, Lane County will also consider fencing the property.

- 8e. The site is considered by ODEQ to be of relatively low risk compared to other petroleum or petroleum product-only contaminated sites in Oregon.

The site is not receiving or using Leaking Underground Storage Tank (LUST) Trust Fund monies.

- 8f. There is no viable responsible party for contamination at the site that has been identified through:

- 1) a judgment or an administrative order
- 2) An enforcement action by federal or state authorities
- 3) A citizen suit, contribution action or other third party claim.

- 8g. The site is not subject to any order under section 9003(h) of the Solid Waste Disposal Act.

- 8h. N/A. No current or immediate past owners have been identified as responsible parties.

#### **E. Cleanup Authority and Oversight Structure**

1. Lane County and the Oregon Department of Environmental Quality have an established working relationship on this site. Prior to receipt of the property by Lane County through tax foreclosure, the Oregon Department of Environmental Quality provided oversight of underground storage tank decommissioning and tank removal at the property.

The Oregon Department of Environmental Quality has reviewed the results of environmental assessment work that has been conducted to date at the site. To further delineate the magnitude and extent of the groundwater contamination, the Oregon Department of Environmental Quality is concurrently seeking approval for use of existing EPA funds to conduct a Site Specific Assessment on the property. If EPA approves this proposal, ODEQ will conduct assessment actions at the site between January and March, 2005. This additional site assessment work will allow for further definition of existing contamination to enable the installation of appropriately sized and located cleanup and remediation equipment, assuring the efficient and effective removal of contaminated groundwater.

Lane County has consulted extensively with the Oregon Department of Environmental Quality during the development of this cleanup grant application. On award of cleanup grant funds, Lane County will continue to work closely with ODEQ to assure the effectiveness of remedial actions in the protection of human health and the environment. A memorandum of agreement will be developed by both parties highlighting individual and joint responsibilities as part of the site being enrolled in either ODEQ's Voluntary Cleanup Program or ODEQ's Leaking UST Program. Both of these programs assure ODEQ oversight.

In addition, because of the substantial public benefits anticipated from the site's cleanup and redevelopment, ODEQ and the future site developer – SeQuential Biofuels – are expected to enter into a Prospective Purchaser Agreement. The agreement will limit the purchaser's liability to ODEQ for environmental cleanup at the property in return for a commitment by the purchaser to fund a portion of the necessary site cleanup activities.

Prospective Purchaser Agreements specifically require regulatory oversight by ODEQ during cleanup actions under either the ODEQ's Leaking UST Program or the Voluntary Cleanup Program.

Finally, under ODEQ oversight, the applicant will hire appropriate and qualified consultants and contractors to perform cleanup activities. All procurements will be performed in accordance with 40 CFR Part 30.

All of the above mechanisms indicate the high level of coordination with ODEQ throughout the cleanup grant activities and redevelopment of the property.

2. Cleanup activities are expected to be performed predominantly on the subject property owned by Lane County. However, groundwater sampling may be required beyond the property boundary.

The site is bordered in the down-gradient direction by Interstate 5. Private property is located further down-gradient across the Interstate. In the event off-site activities are required, Lane County and their consultant will obtain any necessary permits and access from the Oregon Department of Transportation, which is responsible for the transportation right-of-way. If access is needed on private property, Lane County will work with the individual property owners to obtain access. Written agreements will be established with each of the parties outlining roles, access limitations (if any), duration of access, and responsibilities associated with any permanent monitoring wells.

#### **F. Cost Share**

Lane County has identified a redeveloper of the property – SeQuential Biofuels – that will provide funds for the required cost share. Lane County and SeQuential are in the process of negotiating agreements to formalize SeQuential's commitment. Following on the County/SeQuential Agreement ODEQ and SeQuential will enter into a Prospective Purchaser Agreement that will identify the developer's contribution to cleanup of the site. Lane County is also prepared to fill any gaps in the cost share requirement from its budget and in-kind contributions.

## Ranking Criteria for Cleanup Grants

**A. Cleanup Grant Budget** Project activities will generally include community involvement; planning cleanup activities; contractor services; acquisition, installation and operation of remediation equipment; installation of groundwater monitoring equipment; groundwater sampling and analysis; and project oversight.

Categories	Program Management	Community Involvement <sup>1</sup>	Work Plan Development <sup>2</sup>	Work Plan Implementation <sup>3</sup>	Reporting <sup>4</sup>	Total
Personnel	\$4,500	\$2,000	\$900	\$2,000	\$900	\$10,300
Fringe Benefits	\$2,200	\$660	\$300	\$660	\$300	\$4,120
Supplies		\$500				\$500
Equipment <sup>5</sup>				\$40,000		\$40,000
Contractual						
ODEQ Oversight		\$2,500	\$3,000	\$6,600	\$2,000	\$14,100
Contractor/Consultant			\$14,500	\$44,000	\$30,000	\$88,500
Analytical <sup>6</sup>				\$25,000		\$25,000
Other				\$15,000		\$15,000
<b>Sub-Total</b>	<b>\$6,700</b>	<b>\$5,660</b>	<b>\$18,700</b>	<b>\$133,260</b>	<b>\$33,200</b>	<b>\$197,520</b>
Cost Share <sup>7</sup>	\$0	\$0	\$0	\$40,000	\$0	\$40,000
<b>Total</b>	<b>\$6,700</b>	<b>\$5,660</b>	<b>\$18,700</b>	<b>\$173,260</b>	<b>\$33,200</b>	<b>\$237,520</b>

### Notes:

- 1 Community involvement includes staff time and materials to keep the service area and neighborhood organizations informed about cleanup activities at the site.
- 2 Includes workplan preparation, system design, and preparation and submittal of a sampling and quality assurance project plan (QAPP) to EPA and ODEQ for review and approval prior to the performance of field activities.
- 3 Includes installation of equipment, groundwater sampling (7 quarters), operation and maintenance of the system (monthly).
- 4 Includes the initial characterization and remediation startup report, conceptual site model report, and subsequent quarterly reports.
- 5 Equipment installed will be a dual-phased (vapor and groundwater) remediation system that will operate for approximately two years.
- 6 Includes the installation of groundwater monitoring wells to evaluate improvements in groundwater quality resulting from installation of the dual-phased remediation system. The existing and newly installed wells will be monitored quarterly for seven quarters.
- 7 Cost-share will be a combination of cash and in-kind services.



**B. Community Need:**

1. There are three distinct populations that will be beneficiaries of the cleanup and redevelopment project: a) residents in the immediate vicinity of the site; b) residents in the airshed served by the biofuels station that will be sited on the property, and c) customers of the biofuels station that will be provided with an alternative fuel source.

Most of Lane County's rural communities are considered economically distressed by the state Economic and Community Development Department. The timber industry struggles to find a sustainable employment base. Higher unemployment rates (6.4 percent in July 2004, Oregon Employment Department) have plagued Lane County for the past several years. The biofuels project proposed for this site will add jobs, diversify the economy, and provide environmental benefits.

2. The project site is located on a well-traveled North/South frontage road (McVay Highway) along Interstate 5. Properties along the frontage road are zoned for commercial use. Properties immediately to the west and south are rural residential properties and properties designated for farm use. Two schools, Lane Community College and Oak Hill School, are located approximately one-half mile south of the project site, and are typically accessed via the frontage road.

Remediation and redevelopment of the property will benefit residents in the immediate vicinity of the site by:

- Removing contamination in groundwater. Groundwater contaminated with petroleum has been documented on adjoining properties and in domestic wells, and cleanup will reduce the risk the contamination poses for present and future uses.

Remediation and redevelopment of the property will benefit residents in the general area by:

- Providing an alternative source of clean fuels (biofuels), leading to reduction of noxious air emissions in the airshed;
- Providing property for commercial re-development of a blighted and underutilized property within an existing commercial area located on a highly trafficked frontage road along a major North/South interstate highway (on/off access is less than 1/4 mile from the project site);
- Providing employment to a distressed community;
- Providing, economic diversity to a community that has been dependent on the harvest and manufacture of wood products that is in decline.

Remediation and redevelopment of the project site will benefit customers of the biofuels station by:

- Establishing a business that will provide alternative fuels, leading to availability of fuel choices and reduced dependence on petroleum-based products.

3. In Lane County, there are 142 LUST sites that remain open. These LUST sites are in any of a number of stages of contamination release, assessment, and cleanup. ODEQ is on a

schedule to aggressively address cleanup on these properties. The estimated effect of open site status on property values is significant. Open site status is frequently an impediment to full use, property transaction and/or redevelopment.

While it is a low priority site compared to other petroleum-contaminated sites in the area, the property subject to this grant application is a very important site because:

- Significant information is known about the site through assessments that have been conducted;
- ODEQ is concurrently seeking approval to gather additional assessment information to enable extremely efficient use of cleanup funds;
- Cleanup of the property will eliminate a blighted, vacant property that is located within a thriving commercial area;
- The site has a firm redevelopment proposal in place involving a private partner that will provide a product (Biofuels) that is in increasing demand;
- The property is in a prime location, with ready access to a customer base through traffic on Interstate 5, local traffic along the commercial strip of McVay Highway, and traffic going to and from the nearby community college and school;
- The redevelopment scenario will incorporate a watershed-friendly stormwater treatment component;
- The redevelopment scenario will replace petroleum use with sustainably produced fuels;
- The redevelopment scenario will provide jobs;
- The redevelopment scenario is anticipated to stimulate improvements in neighboring properties;
- The redevelopment scenario will be implemented and maintained in a manner that is protective of the environment.

Further evidence of the suitability of this site and its redevelopment potential is highlighted in the letters of support included in Attachment E.

### **C. Sustainable Reuse of Brownfields**

a. **Pollution risk reduction:** The cleanup of petroleum contamination caused by historic operations at the site will improve groundwater quality in the area, minimizing the risks to drinking water resources, risks of contaminant volatilization to buildings, risk of contaminant migration in utility corridors and the risk of further contamination of the aquifer. In addition, threats to nearby Russell Creek and the Willamette River will be reduced.

**Proposed redevelopment scenario:** The proposed end-use for the site includes the location of a new fueling station providing biofuels. SeQuential Biofuels provides commercial biodiesel and biodiesel/petroleum diesel blends for heat, power and transport to businesses, governments and individuals throughout western Oregon and western Washington. Initially, a retail cardlock fueling station providing biodiesel and ethanol based products is proposed for the site. The developer has future interest in developing a retail fueling station with an adjacent market to serve the neighborhood and the fueling station's customer base.

Environmental benefits of redevelopment scenario: Products that will be available at the site upon its redevelopment are expected to replace demand for petroleum-based products, reducing dependence on petroleum and reducing emissions in the airshed. Exhaust emissions of sulfur oxides and sulfates (major components of acid rain) from biodiesel are essentially eliminated compared to diesel.

Public health benefits of redevelopment scenario: Biodiesel is the only alternative fuel to have fully completed the health effects testing requirements of the Clean Air Act. The use of biodiesel in a conventional diesel engine results in substantial reduction of unburned hydrocarbons, carbon monoxide, and particulate matter compared to emissions from diesel fuel. Biodiesel contains no sulfur or aromatics, and use of biodiesel in a conventional diesel engine results in substantial reduction of unburned hydrocarbons, carbon monoxide and particulate matter. Scientific research confirms that biodiesel exhaust has a less harmful impact on human health than petroleum diesel fuel. Biodiesel emissions have decreased levels of polycyclic aromatic hydrocarbons (PAH) and nitrated PAH compounds that have been identified as potential cancer causing compounds. Biofuels are non-polluting, non-toxic and biodegradable.

Biodiesel helps preserve and protect natural resources. For every one unit of energy needed to produce biodiesel, 3.24 units of energy are gained. This is the highest energy balance of any fuel. Because of this high energy balance and since it is domestically produced, biodiesel use can greatly contribute to domestic energy security.

- b. **Redevelopment potential:** Cleanup of the property and subsequent transfer and redevelopment by a private party as a fueling station providing biofuels will return the property to the county's tax rolls. Redevelopment will create jobs, initially including construction jobs, followed by retail employees working at the biofueling station and associated retail market. Cleanup and redevelopment of the site will eliminate a blighted condition, will contribute to overall enhancement of the neighborhood, and can be expected to catalyze improvements to other properties in this commercial area. Cleanup of groundwater is expected to assist with maintaining or improving property values and the associated tax base.
- c. The project site is located just outside the Urban Growth Boundaries (UGB) of the cities of Eugene and Springfield, which have a combined population exceeding 200,000. Because the project site is in such close proximity to the cities, it is governed by the Metro Plan for land use planning purposes. The Metro Plan is a tri-party agreement between the cities of Springfield, Eugene and Lane County to provide for growth, development and planning within the respective cities and for urbanizable lands lying just outside the cities.

Under the Metro Plan, the project site is designated for commercial development. In addition to the specific objective of removing a contaminated site from a highly used frontage road adjacent to Interstate 5, the jurisdictions have a common objective of

putting such properties into productive use. Economic development and job creation are strategies of the cities and county.

The site is on a main access route off Interstate 5 south that leads to Lane Community College and Oak Hill School, located about a half-mile from the site. It is an excellent site for an alternative fuel service station. The market proposed by the developer will serve the neighborhood and the customer base. The biofueling station will provide significant benefits.

- d. The property is located along an existing frontage road adjacent to Interstate 5, conveniently located approximately one-quarter mile from a freeway interchange that also services nearby Lane Community College. Interstate 5 is a main travelway between Los Angeles and Seattle, and the property is serviced by easy on- and off-ramp access to the interstate. Daily trips on Interstate 5 past the site averaged 55,000 in 2002 (Oregon Department of Transportation). The site is also readily accessible to vehicle traffic traveling on the frontage road to and from Lane Community College and Oak Hill School. The existing infrastructure such as utilities, roads, water lines, etc. will be re-used.
- e. The reuse of the property as a biofueling station and market will promote the use of alternative fuels, decreasing dependence on petroleum while boosting the economy and protecting the environment. The use of regionally produced fuels such as biodiesel are gaining momentum. Government and private fleets are increasingly using these fuels because they have a reduced impact on the environment over petroleum-based diesel. Today, biodiesel is the fastest growing alternative fuel in America, and about 400 major fleets use the fuel nationwide.
- f. Cleanup and reuse of the site will be managed in such a way as to prevent future brownfields. Redevelopment infrastructure and equipment will consist of modern facilities and be installed to prevent spills and overfills, etc. In addition, biofuels are nontoxic and biodegradable, and therefore the storage and distribution of these types of materials at the site poses a greatly reduced risk to the environment.

**D. Creation and/or Preservation of Green Space/Open Space or Other Nonprofit Purpose:**

When planning for redevelopment of the site, SeQuential Biofuels is committed to considering the incorporation of innovative stormwater treatment and control techniques and facilities on the site, including such features as bioswales, etc.

**E. Community Involvement**

1. The Russell Creek Neighbors Association and the Goshen Area Neighborhood Association, which are active in the community where the project site is located, have been contacted and requested to provide input into the project.
2. Lane County is pursuing partnerships with neighborhood associations, ODEQ, and the private developer to ensure appropriate and sustainable cleanup and redevelopment of the site. Lane County has identified a redeveloper of the property, SeQuential Biofuels

which markets and distributes biodiesel. SeSequential Biofuels is interested in developing the property as a biofuel fueling and distribution center due to easy access to Interstate 5. Lane County, the ODEQ and SeSequential Biofuels have been in discussions regarding cleanup of the site, roles of the parties in cleanup actions and occupation of the site by SeSequential Biofuels during cleanup activities.

Lane County, the ODEQ and SeSequential Biofuels are in the process of negotiating agreements that would allow SeSequential Biofuels to occupy the project site as early as January, 2005 to begin redevelopment activities as well as preparation for cleanup activities in the event the grant is awarded. Upon completion of cleanup activities, title to the property would be transferred to SeSequential Biofuels. The agreements will require SeSequential Biofuels to contribute funds for remediation as well as assist in monitoring cleanup activities occurring on the site.

3. A Public Notice was published in the *Eugene Register Guard*, the major daily newspaper for the Eugene/Springfield community as well as all of Lane County, describing Lane County's Grant application, requesting input and notifying the public that the grant application would be available for viewing and opportunity for comment would be available at a public meeting of the Lane County Board of Commissioners.

A news release with the same information as the Public Notice was also distributed to local media.

The matter of the grant application was discussed by the Lane County Board of Commissioners during one of their weekly public meetings. The discussion of the grant was part of the published agenda available to the public approximately 7 days before the meeting (included in Attachment B) Notice of the Commissioners' meetings are published on the county's web site as well as the local newspaper. Meetings are televised and are also available for viewing via a web cast. The grant document was available for viewing at the meeting. A draft of the grant document and Lane County and ODEQ staff were available to the public prior to the public meeting.

Throughout the cleanup and redevelopment project, the community – primarily through the local neighborhood organizations – will be informed about cleanup and redevelopment activities on the site.

4. Included below is a list of organizations supporting the County's project. Letters of support are also provided in Attachment F.

Organization	Contact Person	Phone Number
Lane County Board of Commissioners	Commissioner Don Hampton	(541) 682-4203
The Board of County Commissioners is the governing body of Lane County.		

Russell Creek Neighborhood Association	Craig Shelby; President	(541) 726-9989
Russell Creek Neighborhood association is a community organization whose members live in the area of the project site.		
Goshen Area Neighbors.	Rob Castelberry	PO Box 50304, Eugene, 97405
Goshen Area Neighbors is a community organization whose members live in the area of the project site.		

The mission of neighborhood associations is generally to build community at the neighborhood level and improve the livability of neighborhoods. Neighborhood associations do this by:

- Sponsoring neighborhood improvement projects and social events;
- Providing a forum to identify, discuss, and resolve neighborhood issues
- Establishing a two-way communication between neighborhoods and government, and between neighborhoods and other external agencies;
- Educating neighbors on issues, public process, government services, and elections, and;
- Identifying and advocating the neighborhood association's positions on issues such as land use, transportation, public safety, and social services.

#### **F. Reduction of Threats to Human Health and the Environment**

##### **1. Cleanup of petroleum contamination:**

The proposed cleanup plan will significantly reduce the threat to human health and the environment by the removal of contaminated groundwater at the site. Currently, pathways of potential concern include vapor intrusion (of known carcinogens such as benzene) into the on-site building, and the continuing migration of the groundwater plume towards other groundwater sources and surface waters - Russell Creek and the Willamette River - located downgradient of the site. Although drinking water is supplied to the site by a municipal water system, many of the adjacent properties have wells that are used for irrigation, pools, etc. The removal of remaining petroleum compounds from the impacted groundwater will reduce the threat of continued migration of contamination and reduce the threat of contaminant loading of the shallow aquifer.

##### **Redevelopment into Biofuels station:**

Emissions: Biodiesel is the only alternative fuel to voluntarily perform EPA Tier I and Tier II testing to quantify emission characteristics and health effects. That study found that B20 (20% biodiesel blended with 80% conventional diesel fuel) reduced total hydrocarbons by up to 30%, carbon monoxide up to 20%, and total particulate matter up

to 15%. Typically, emissions of nitrogen oxides (NOx) are either slightly reduced or slightly increased depending on the duty cycle of the engine and testing methods used. Increases in NOx can be effectively eliminated with the use of normal mechanical remediation techniques (e.g. catalysts or timing changes). Research also documents the fact that the ozone forming potential of the hydrocarbon emissions of pure biodiesel is nearly 50% less than that of petroleum fuel. Pure biodiesel does not contain sulfur and therefore reduces sulfur dioxide exhaust from diesel engines to virtually zero. Biodiesel can also help meet national goals for the net reduction of atmospheric carbon. As a renewable fuel derived from organic materials, biodiesel and blends of biodiesel reduce the net amount of carbon dioxide in the biosphere. A study by the US Department of Energy has found that biodiesel production and use, in comparison to petroleum diesel, produces 78.5% less CO2 emissions. Carbon dioxide is "taken up" by the annual production of crops such as soybeans and then released when vegetable oil based biodiesel is combusted. This makes biodiesel the best technology currently available for heavy-duty diesel applications to reduce atmospheric carbon.

Health Effects: Biodiesel emissions are safer for people to breathe. Research conducted in the US shows biodiesel emissions have decreased levels of all target polycyclic aromatic hydrocarbons (PAH) and nitrated PAH (nPAH) compounds, as compared to petroleum diesel exhaust. PAH and nPAH compounds have been identified as potential cancer causing compounds. Targeted PAH compounds were reduced by 75 to 85 percent, with the exception of benzo(a)anthracene, which was reduced by roughly 50 percent. Target nPAH compounds were also reduced dramatically with biodiesel fuel, with 2-nitrofluorene and 1-nitropyrene reduced by 90 percent, and the rest of the nPAH compounds reduced to only trace levels. All of these reductions are due to the fact the biodiesel fuel contains no aromatic compounds.

2. Lane County will continue to work with ODEQ to insure human health and the environment are protected during the remedial action and redevelopment process. ODEQ has extensive experience with this type of cleanup project and will provide project oversight during cleanup.
3. The cleanup plan for this site has been estimated to cost \$240,000 (including cost-share) and includes the following steps:
  - Prepare a sampling and quality assurance plan;
  - Coordinate with ODEQ and ensure all work is planned and performed correctly;
  - Conduct community involvement activities to assure that area residents are aware of cleanup activities;
  - Install and operate a dual-phased (vapor and groundwater) remediation system;;
  - Install groundwater monitoring wells to demonstrate plume stability and/or reducing dissolved phase petroleum constituents;
  - Collect quarterly groundwater samples to evaluate progress of effectiveness of cleanup actions;
  - Develop a site specific conceptual site and risk-based proposal for closure; and
  - Request a no further action letter from ODEQ

Cleanup of groundwater will reduce or remove exposure pathways.

4. Oversight of the project by ODEQ will ensure that the proposed cleanup plan will be protective of health and the environment and will ensure that cleanup activities will comply with all applicable Federal and State laws.
5. N/A. Engineering controls are not planned.

#### **G. Leveraging of Additional Resources**

1. The cost of the cleanup phase of the project is estimated at \$240,000 and will be funded entirely by this grant and the cost share if awarded. Redevelopment of the site is valued at \$85,000 plus the investments in infrastructure associated with redevelopment.
2. Lane County will contribute staff time to manage the cleanup grant and activities. In addition, the developer will provide funds to assist with cleanup.
3. ODEQ is currently pursuing EPA approval to use existing funds to conduct further site assessment work on the property in advance of conducting the proposed cleanup actions. The additional site assessment work would help to identify the most effective placement of cleanup equipment on the site and to size the equipment in such a way as to most efficiently and effectively reduce the groundwater contamination. SeQuential Biofuels, the identified re-developer, will contribute funding and in-kind contributions to the project.

#### **H. Ability to Manage Grants**

1. Lane County staff, including the property manager, accounting staff and the economic development coordinator, will be involved in managing the grant. The staff involved have extensive experience in managing public funds with budget responsibility for their particular programs.

Lane County will be working closely with the ODEQ. It is anticipated that the County and ODEQ will enter into an intergovernmental agreement whereby ODEQ will act as project manager for the county thus insuring that the work is done by competent contractors and completed to required standards.

In addition, in the past, the County has acquired properties containing hazardous materials, including abandoned mill sites, gas stations and properties used for illegal drug manufacturing, and has contracted with consultants to successfully remediate these properties. The County can draw on in house staff in its waste management division, attorney's office, environmental health division and accounting office for expertise in managing the grant and insuring the work is done to required standards.

2. Lane County, as a local government entity, manages millions of dollars of federal funds in delivering various services to citizens. Those services include mental health, public



health, human services, energy assistance, public safety, public works and economic development.

3. Lane County has not been a recipient of an EPA Brownfields cooperative agreement.
4. Lane County has not been a recipient of an EPA Brownfields cooperative agreement.
5. Lane County has not been a recipient of an EPA Brownfields cooperative agreement.

**Attachments:**

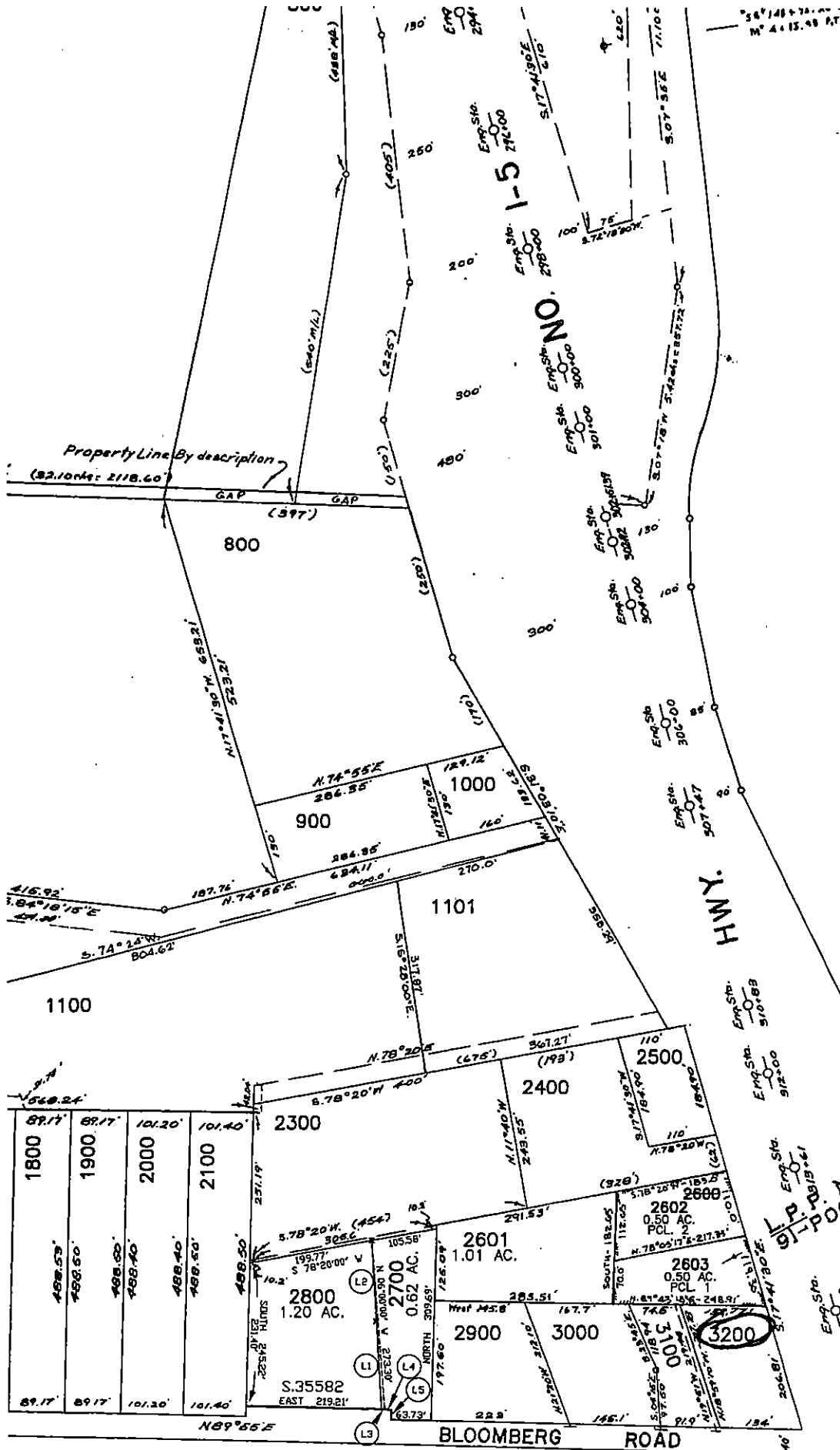
Attachment A – Vicinity Map

Attachment B – News Release, News Articles

Attachment C – Oregon DEQ Acknowledging Letter

Attachment D – Oregon DEQ Eligibility Determination Letter

Attachment E – Community Contacts, Letters of support



# LINE TABLE

L1	142.00'	N 05°00'00" W
L2	130.82'	N 04°54'27" W
L3	3.00'	EAST
L4	11.05'	EAST
L5	16.5'	SOUTH

See Map 18 03 11

L.P. NO. 91-P0090

TAX LOTTED ON MAP 18-03-11-3

PACIFIC

## **PUBLIC NOTICE**

LANE COUNTY is in the process of preparing grant applications for submittal to the Environmental Protection Agency to secure funding for the cleanup of county owned real property contaminated with petroleum products. The properties subject to the grant applications are located at 267 Van Buren St, Eugene, OR and at 86714 McVay Hwy., Eugene, OR.

The grant application for the property at 86714 McVay Hwy. anticipates redevelopment of the property by SeQuential Biofuels, a marketer and distributor of bio-diesel. Lane County, the Oregon Department of Environmental Quality and SeQuential Biofuels would enter into agreements for cleanup of the property and eventual transfer of the property to SeQuential Biofuels.

No redevelopment plan has been identified at this time for the property at 267 Van Buren St.

The public is invited to comment and provide input on the grant applications. Drafts of the grants are scheduled to be presented to the Lane County Board of Commissioners at their meeting on November 3, 2004 beginning at 9:00 AM. Interested parties can view the draft at that time and provide comment during the public comment period at the commissioner's meeting.

A draft of the grant document will be available after October 20, 2004. To provide comment prior to the November 3<sup>rd</sup> meeting and obtain further information on the grants please contact Lane County, Property Management Division, 125 E. 8<sup>th</sup> Ave., Eugene, OR 97401, (541) 682-4174.

## LANE COUNTY TO APPLY FOR EPA GRANTS FOR CLEANUP OF COUNTY PROPERTY CONTAINING HAZARDOUS WASTE

Contact: Jeff Turk, Property Management Officer, 682-4174

**Who** Lane County, subject to final approval from the Board of Commissioners, will be applying for the grants. The Oregon Department of Environmental Quality (DEQ) will assist the county with the grant application.

**Where** Two properties will be involved in the grant applications (separate grant application for each property). One property is located in the Whiteaker neighborhood in Eugene at 267 Van Buren St. and is approximately 1/3 of an acre. The other property is located near Lane Community College at 86714 McVay Hwy.

**When** Application deadline is November 12, 2004. Grant awards are expected to be announced by June, 2005 (grants are awarded by a competitive selection process based on information in the grant application) Funding will be available approximately 3 months after awards are announced.

Review of the grant application by the commissioners is expected at their November 3, 2004 meeting. The public may comment on the grant application during the public comment period of the meeting. A draft of the grant document will be available after October 20th. For information on the grant and to provide comment prior to the November 3rd meeting please contact Jeff Turk, the county's Property Management Officer, at 682-4174.

**What** The EPA has grant funding available to governmental entities for the cleanup of property contaminated with petroleum products. Funding up to \$200,000 for each property is available. A 20% match is required by the applicant and can include "in kind" contributions. Grant funds must be expended within 2 years.

**Why** The purpose of the EPA grants is to assist communities in redeveloping contaminated properties for productive use.

**How** The properties were acquired by the county through property tax foreclosure. The property at 267 Van Buren was formerly occupied by a heating oil and solvent distributor. A level II environmental assessment confirmed the presence of significant amounts of petroleum products in the soil at various locations on the property. Preliminary cost estimates for remediation are \$80,000 - \$100,000.

The McVay Hwy. property was the site of a gas station. The underground storage tanks have been removed but substantial soil contamination remains. It is estimated that cleanup of the property may cost as much as \$200,000.

SeSequential Biofuels, a marketer and distributor of bio diesel (diesel fuel made from vegetable oil), has contacted the county and the DEQ about a partnership where SeSequential Biofuels would contribute to the cleanup of the McVay Hwy. Property with funding and in kind contributions with the county then conveying the property to SeSequential Biofuels at the conclusion of cleanup activities.



# Oregon

Theodore Kulongoski, Governor

## Department of Environmental Quality

Western Region Eugene Office

1102 Lincoln Street, Suite 210

Eugene, OR 97401

(541) 686-7838

FAX (541) 686-7551

TTY (541) 687-5603

October 18, 2004

Don West  
Environmental Management Support, Inc.  
8601 Georgia Avenue, Suite 500  
Silver Spring, MD 20910

Dear Mr. West:

The Oregon Department of Environmental Quality has been in extensive contact with Lane County during the development of their Brownfield Cleanup Grant Application for the project known as the McVay Highway Biofueling Station Site. Lane County is applying to the Environmental Protection Agency for cleanup grant funds to enable the cleanup of known petroleum contamination that has adversely affected groundwater at the site.

The project site was operated as service station until August 1991 and is well known to the Oregon Department of Environmental Quality. In 1991 our department investigated contamination in a domestic well on neighboring property and detected BTEX and benzene. The residence was subsequently connected to a municipal water supply because of the detections. Our department oversaw the decommissioning and removal of five underground storage tanks at the site in March 1996.

The site has been vacant, inactive and underutilized since 1991. Recently, the property was acquired by Lane County through tax default.

We have come to learn of a significant redevelopment opportunity for the site, and are very supportive of Lane County's interest and efforts to secure funds to clean up the site, making way for its redevelopment. The site is in a commercial area, located on a well-traveled frontage road adjacent to Interstate 5. We are particularly excited about the potential for redevelopment of the site into a retail outlet for sustainably produced and environmentally friendly biofuels.

Our department will continue to do all we can in working with Lane County to assure the effective and efficient cleanup of the site to meet appropriate risk-based standards, allowing redevelopment of the site into productive use. Please call if you have any questions about our experience with the site or regarding our collaboration on the project with Lane County.

Sincerely,

Michael J. Wolf  
Economic Development Coordinator





Turk  
18, 2004  
F2  
**Oregon**  
Theodore Kulongoski, Governor

**Department of Environmental Quality**  
**Western Region Eugene Office**  
1102 Lincoln Street, Suite 210  
Eugene, OR 97401  
(541) 686-7838  
FAX (541) 686-7551  
TTY (541) 687-5603

October 18, 2005

Mr. Jeff Turk  
Lane County Property Management  
Lane County Building  
125 East 8th Avenue  
Eugene, OR 97401

Dear Jeff:

Thank you for the information that you provided about the McVay Highway property (formerly operated as the Franko #15 site). We concur with the information provided (restated below), and our department has determined that the site is eligible as a petroleum site for brownfields grant funding.

- The current owner of the site is Lane County, Oregon. The immediate past owner of the site is SML Associates, Inc.
- The current owner – Lane County, Oregon – acquired the property on September 29, 2004 through tax foreclosure.
- All contamination identified at the site is related to historic operations which took place prior to Lane County's acquisition by foreclosure on September 29, 2004. The current owner – Lane County, Oregon – did not dispense or dispose of petroleum or petroleum product at the site. The current owner has taken and is taking reasonable and prudent steps to avoid exacerbation of pre-existing groundwater contamination at the site.
- The immediate past owner – SML Associates, Inc. – did not dispense or dispose of petroleum or petroleum product at the site. The immediate past owner took reasonable steps to avoid exacerbation of pre-existing groundwater contamination at the site.
- Lane County, as the applicant and current owner, has not dispensed or disposed of petroleum or petroleum product at the site.
- Lane County has not exacerbated the existing petroleum contamination at the site. Lane County intends to remove solid waste present on the site thus removing incentives to trespass and leave additional solid waste and Lane County will also consider fencing the property to prevent to avoid exacerbation of pre-existing contamination at the site.
- The site is considered by ODEQ to be of relatively low risk compared to other petroleum or petroleum product-only contaminated sites in Oregon.
- The site is not receiving or using Leaking Underground Storage Tank (LUST) Trust Fund monies.



Mr. Jeff Turk  
October 18, 2004  
page 2 of 2

- 
- There is no viable responsible party for contamination at the site that has been identified through:
- A judgment or an administrative order
- An enforcement action by federal or state authorities
- A citizen suit, contribution action or other third party claim.
- The site is not subject to any order under section 9003(h) of the Solid Waste Disposal Act.
- N/A. No current or immediate past owners have been identified as responsible parties.

We appreciate the county's interest in seeking grant funds for the cleanup of groundwater contamination at the site, setting the stage for redevelopment efforts.

Please let me know if you have any questions or if we can be of further assistance.

Sincerely,

Michael J. Wolf  
Economic Development Coordinator



October 6, 2004

Rob Castelberry  
Goshen Area Neighborhood Association  
PO Box 50304  
Eugene, OR 97405

Dear Mr. Castelberry:

The county will be applying for an EPA grant to cleanup the former Franko gas station on McVay Hwy. and is seeking input from community organizations on the matter. Commissioner Hampton gave me your name as the contact person for the Neighborhood Association.

Lane County has acquired through tax foreclosure property located at 86714 McVay Hwy. (corner of Bloomberg Rd.). The property was formerly a Franko gas station. The soil on the property has been identified as containing hazardous material in the form of petroleum products.

A grant from the federal Environmental Protection Agency (EPA) is available to provide funding for cleanup of the property (grants are awarded on a competitive basis). The grant would require a 20% funding match by the county. The county wishes to submit an application for the grant. One of the requirements of the grant is to contact community organizations making them aware of the situation and to provide them with an opportunity to submit comment and provide input on the grant application.

The county will be working with the Oregon Dept. of Environmental Quality (DEQ) to submit the grant application as well as having the DEQ provide oversight of cleanup activities should the grant be awarded.

The county has also identified a private company that is interested in redeveloping the property - SeSequential Biofuels. SeSequential Biofuels markets and distributes bio-diesel. (bio-diesel is diesel fuel made from vegetable oil). They would use the property as a retail and distribution center for bio-diesel fuel. SeSequential Biofuels would contribute funding and/or in kind contributions towards cleanup of the property.

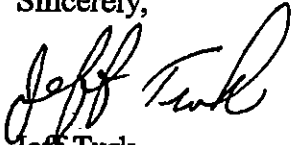
SeSequential Biofuels will be identified in the grant application as a re-developer of the property. The county anticipates negotiating a lease agreement with them so they can begin redevelopment with title to the property transferred to them upon completion of the cleanup.



The grant application deadline is November 12, 2004. It is anticipated that the matter will be discussed by the County Commissioners at their November 3, 2004 meeting. Public comment can be given at that meeting during the time allotted for such at the beginning of each meeting and a draft of the grant document can also be viewed at that time.

You may also contact me prior to the commissioners' meeting for additional information or to submit a letter of support for the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Turk". The signature is fluid and cursive, with the first name "Jeff" and last name "Turk" clearly distinguishable.

Jeff Turk

Property Management Officer  
(541)682-4174

## **Proposal for EPA Brownfields Cleanup Grant**

### **Applicant Information**

1. **Project Title:** Van Buren/Whiteaker Neighborhood Redevelopment Site

2. **Grant Type:** Cleanup, Petroleum

3. **Total Dollar Amount Requested:** \$100,000

4. **Name of Applicant:** Lane County, Oregon

5. **Project Contact:**

Jeff Turk  
Lane County Property Management

Mailing Address:  
Lane County Building  
125 East 8th Avenue  
Eugene, OR 97401  
Voice mail: (541) 682-4174  
Fax: (541) 682-4174  
Email: [Jeff.R.Turk@co.lane.or.us](mailto:Jeff.R.Turk@co.lane.or.us)

6. **Chief Executive:**

Bill Van Vactor  
County Administrator

Mailing Address:  
Lane County Building  
125 East 8th Avenue  
Eugene, OR 97401  
Voice mail: (541) 682-4203

7. **Location:** The area targeted by this application is located within the city of Eugene, OR. Specifically, the property is located at 267 Van Buren St. within the Whiteaker Neighborhood of Eugene. A vicinity map of the county showing the location of the project and the surrounding area is included in Attachment A.

8. **Population:** The population of Eugene, OR is 140,000.

9. **Special Consideration:** The specific site is not in a federally designated Empowerment Zone/Enterprise Community; or a federally designated Renewal Community.

### **Threshold Criteria**

A. **Applicant Eligibility:** Lane County is a general purpose unit of local government. Lane County took ownership of the property on September 24, 2001 through tax default.

B. **Community Notification**

A news release was sent to local newspapers and area media describing the County's grant application and requesting public comments on the application. In addition, a public notice of Lane County's intent to apply for the cleanup grant was published in the *Eugene Register Guard*, a newspaper of general circulation within Lane County.

Both the news release and the public notice described the grant application and requested comment on the grant application. In addition, the news release and public notice informed the community that the Lane County Board of Commissioners (the governing body of Lane County) would discuss the grant application at a public meeting on November 3, 2004, that the community was welcome to speak on the matter at the public meeting and could also view a draft of the grant application. A draft of the application was available as of October 21<sup>st</sup>.

The Whiteaker Community Council, the sanctioned neighborhood association by the City of Eugene for the area of the project site, was directly notified of the grant application and urged to submit comments and/or seek more information on the matter from the county.

The Neighborhood Economic Development Corporation was notified of the application.

The St. Vincent de Paul Society (SVDP) was notified of the application. SVDP has undertaken numerous development projects in the Eugene area to provide affordable housing. SVDP has expressed an interest in the project site property.

Copies of the news release, public notice and letters mailed to community organizations are attached.

**C. Letter from the State or Tribal Environmental Authority:** A letter from the Oregon Department of Environmental Quality (ODEQ) is included as Attachment C.

**D. Site Eligibility and Property Ownership Eligibility:**

- 1a. The site is not listed or proposed for listing on the National Priorities List.
- 1b. The site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
- 1c. The site is not subject to the jurisdiction, custody, or control of the United States government.
- 2a. The site name is the Van Buren/Whiteaker Neighborhood Redevelopment Site.
- 2b. The site address is 267 Van Buren St., Eugene, Oregon 97401, Lane County. The site is located in a mixed use area of residential, commercial and industrial properties. The site contains 13,440 square feet and is improved with a 27' x 72' shop building in poor condition. The site is served by city water and sewer.
- 2c. The site is contaminated by petroleum substances.
- 2d. The site had been used by heating oil distributors from 1931 – 1982. Solvent distributors were listed as occupants from 1975 – 1982. The property has been vacant since at least

1995 when property taxes first became delinquent and has remained vacant and unused since it was acquired by Lane County through tax default in 2001.

- 2e. The site became contaminated through its use as a site for commercial distribution of heating oil and solvents since 1931. A detailed analysis of site contamination is attached in the form of an assessment report from Omnicon Environmental Management (Omnicon was hired by Lane County to perform the assessment).
3. The site does not require a property-specific determination.
4. **Assessment Completed to Date:** A phase 2 assessment was completed by Omnicon Environmental in November, 2001 under contract with Lane County. The assessment is attached as exhibit F.
  - a/b. Further assessment is needed for additional delineation of on site soil contamination and to determine on site ground water contamination. Estimated cost for these activities is \$9,600. Off site assessment of soil and ground water contamination may also be needed. Estimated cost is \$8,000.
  - 4c. Lane County will seek funding assistance from the Oregon Department of Environmental Quality (ODEQ) in combination with budgeted funds from Lane County.
  - 4d. Additional assessment would occur in the Spring of 2005.
5. **Ongoing/Anticipated Enforcement Actions:** There are no ongoing or anticipated enforcement actions occurring with respect to the project site. .
6.
  - a. Lane County acquired the site through tax foreclosure in September, 2001.
  - b. Disposal of hazardous materials occurred prior to the tax foreclosure.
  - c. Not Applicable.
  - d. Lane County acquired the site through tax default and is not responsible for site contamination.
  - e/f. Not Applicable
  - g. A phase 2 site assessment was performed to identify areas of contamination.
- 8a. The current owner of the site is Lane County, Oregon. The immediate past owner of the site is Lobo, Inc..
- 8b. The current owner – Lane County, Oregon – acquired the property on September 21, 2001 through tax foreclosure.

- 8c. The current owner did not dispense or dispose of petroleum or petroleum product at the site. The current owner has taken reasonable steps with regard to existing contamination at the site.  
It is not known whether the actions of the previous owner contributed to contamination of the site.
- 8d. Lane County, as the applicant and current owner, has not dispensed or disposed of petroleum or petroleum product at the site. Lane County has not exacerbated the existing petroleum contamination at the site, and has taken reasonable steps with regard to existing contamination at the site. ODEQ's determination letter is included as Attachment ???.
- 8e. The site is considered to be of relatively low risk compared to other petroleum or petroleum product-only contaminated sites in Oregon. The site is not receiving LUST Trust Fund monies.
- 8f. ODEQ has determined that there is no viable responsible party for contamination at the site.
- 8g. The site is not subject to any order under section 9003(h) of the Solid Waste Disposal Act.
- 8h. N/A. No current or immediate past owners have been identified as responsible parties.

**E. Cleanup Authority and Oversight Structure**

1. Lane County and ODEQ have an established working relationship on this site. Lane County will continue working closely with ODEQ through a memorandum of agreement. The applicant will hire appropriate consultants and contractors to perform cleanup activities. All procurements will be performed in accordance with 40 CFR Part 30.
2. Cleanup activities are expected to be performed predominantly on the subject property owned by the applicant. However groundwater monitoring may be required beyond the property boundary. The site is bordered by both residential and commercial properties. In the event off-site activities are required, Lane County and their consultant will work with the property owners to obtain access. Written agreements will be established with each of the required parties outlining roles, access limitations (if any), duration of access, and responsibilities associated with any permanent monitoring wells.

**A. Cost Share**

Lane County will meet the cost share requirement through budgeted funds and in kind contributions.

**Ranking Criteria**

**A. Cleanup Grant Budget**

Categories	Program Management	Community Involvement <sup>1</sup>	Work Plan Development <sup>2</sup>	Work Plan Implementation <sup>3</sup>	Reporting <sup>4</sup>	Total
Personnel	1,500	\$500	\$500	\$500	\$500	\$3,500
Fringe Benefits	\$500	\$200	\$200	\$200	\$200	\$1,300
Supplies		\$500				\$500
Equipment <sup>5</sup>						
Contractual						
ODEQ Oversight						
Contractor/Consultant						74,700
Analytical <sup>6</sup>						
Other						
<b>Sub-Total</b>						<b>\$80,000</b>
Cost Share <sup>7</sup>						\$20,000
<b>Total</b>						<b>\$100,000</b>

Notes:

- 1 Community involvement includes staff time and materials to keep the service area informed about cleanup activities at the site.
- 2 Prior to the performance of field activities, a sampling and quality assurance plan will be prepared and submitted to EPA and ODEQ for review and approval.
- 3 Equipment installed will be a dual-phased (vapor and groundwater) remediation system that will operate for approximately two years.
- 4 Includes the installation of groundwater monitoring wells to evaluate the improvements in groundwater quality resulting from installation of the remediation system. The existing and newly installed wells will be monitored, quarterly, for two years.
- 5 Contractual includes costs for consultants, contractors, cultural resource technicians (if required), analytical, ODEQ oversight, and transportation.

**B. Community Need**

1. The project site is located within the City of Eugene, Lane County, OR which has a population of 140,000. Specifically, the project site is located in the Whiteaker Neighborhood, a recognized neighborhood by the city with a sanctioned neighborhood organization (Whiteaker Community Council). The unemployment rate for all of Lane County was 6.4 percent in July 2004, per the Oregon Employment Department

The population of the Whiteaker Neighborhood, based on the 2000 census, is 4,454. Of that population, 82% are Caucasian, 13% Hispanic with the remainder comprised of other minority races. 30% of the neighborhood has income below the federal poverty level. 20% of the population is between the ages of 0-19.

The project site is located within the Whiteaker Special Area Zone as designated by the City of Eugene for planning and development purposes. The zoning provides for and encourages nodal development by providing for mixed uses – commercial, residential, industrial – within a single property and/or within a given block thus providing neighborhood residents access to services and employment within their neighborhood.

Census data is attached as Exhibit G.

2. Explain how the targeted community will benefit from this grant.

The targeted community will benefit from the grant by:

- Removing contamination that may be migrating to other properties.
- Provide property for commercial and/or residential development in a neighborhood with 30% of the population below the federal poverty level. While no specific redevelopment project has been identified, several community, non-profit and private organizations have inquired about developing the property. These organizations include:

The Materials Exchange Center for Community Arts, a non-profit organization which provides affordable arts education and promotes reuse, recycling and exchange of materials for use in art projects.

The St. Vincent de Paul Society of Lane County which has developed several affordable housing projects in the Eugene and greater Lane County area.

The Neighborhood Economic Development Corporation, a non-profit organization which promotes affordable home ownership opportunities and economic development in the community.

Availability of the project site for development was also presented to the Housing Policy Board (HPB). The HPB is an inter-governmental, inter-agency group that promotes affordable housing opportunities in the Eugene/Springfield/Lane County area. The HPB is comprised of representatives from the Cities of Eugene and Springfield, Lane County, the Housing and Community Services Agency, non-profit agencies that undertake affordable housing projects (St., Vincent de Paul, Neighborhood Economic Development Corporation) and at large citizens.

All of the above parties have expressed interest in developing the property however, none were willing to initiate any projects until remediation of the property had been done.

3. In Lane County, there are 142 LUST sites that remain open. These LUST sites are in any of a number of stages of contamination release, assessment, and cleanup. ODEQ is on a schedule to aggressively address cleanup on these properties. The estimated effect of open site status on property values is significant. Open site status is frequently an impediment to full use, property transaction and/or redevelopment.

While it is a low priority site compared to other petroleum-contaminated sites in the area, the property subject to this grant application is a very important site because:

- Significant information is known about the site through assessments that have been conducted;
- Cleanup of the property will eliminate a blighted, vacant property that is located within an established neighborhood.

**B. Sustainable Reuse of Brownfields/Development Potential**

- a. The project site is located in an established neighborhood (Whiteaker Neighborhood). The site is in a mixed use area that includes residential, commercial and industrial uses. Redevelopment of the site will be governed by the City of Eugene's planning codes. The project site is within the Whiteaker Special Area Zone. This zoning provides for and encourages nodal development by providing for mixed uses – commercial, residential, industrial – within a single property and/or within a given block thus providing neighborhood residents access to services and employment within their neighborhood. This type of development encourages use of transportation modes other than personal vehicles. Services and employment are located close to residential properties thus making walking, bicycling and public transportation viable alternatives to personal automobiles (City bus is available one block from the project site).

Any re-development project undertaken at the site will be subject to public review to ensure compatibility with the neighborhood and consistency with planning goals.

One of the larger non-Caucasian populations in the City of Eugene resides in the Whiteaker Neighborhood. Per the 2000 census, 18% of the neighborhood's population is comprised of non-Caucasians with 13% being of Hispanic origin. Redevelopment of the project site will provide additional economic activity to the neighborhood.

Lane County, as a local government, has a written policy to consider transferring tax foreclosed property to governmental or non-profit agencies for the purpose of providing low-income housing, social services or child care. Several non-profit agencies have inquired about redeveloping the project site but have not submitted proposals due to the presence of hazardous waste. Upon cleanup of the project site Lane County will consider any redevelopment proposals submitted by governmental or non-profit agencies for the purposes noted above.

**D. Creation and/or Preservation of Green space/Open Space or Other Nonprofit Purpose**

City codes will require that redevelopment of the project site meet landscaping and open space requirements consistent with the neighborhood.

**E. Reuse of Existing Infrastructure**



The project will use existing infrastructure. The project site is on a corner with access from two existing/developed public streets (Van Buren and 3<sup>rd</sup> Ave.). The site is served by city water, sewer, storm drainage and electricity.

**F. Community Involvement**

1. The Whiteaker Community Council (sanctioned neighborhood association) has been contacted and requested to provide input into the project.
2. The Neighborhood Economic Development Corporation (non-profit organization)
3. The St. Vincent de Paul Society of Lane County (non-profit agency undertaking low income housing projects) has been contacted and requested to provide input into the project
4. The Housing Policy Board has been contacted to submit proposals for the project site.
5. A Public Notice was published in the *Eugene Register Guard*, the major daily newspaper for the Eugene/Springfield community as well as all of Lane County, describing Lane County's Grant application, requesting input and notifying the public that the grant application would be available for viewing and comment at a public meeting of the Lane County Board of Commissioners on November 3, 2004.
6. The matter of the grant application was discussed by the Lane County Board of Commissioners at their November 3, 2004 public meeting. The discussion of the grant was part of the published agenda available to the public approximately 7 days before the meeting (attached as Exhibit ?). Notice of the Commissioners' meetings are published on the county's web site as well as the local newspaper. Meetings are televised and are also available for viewing via a web cast. The grant document was available for viewing at the meeting. A draft of the grant document was available to the public as of October 21, 2004 and Lane County and ODEQ staff were available to the public prior to the public meeting.

Organization	Contact Person	Phone Number
Whiteaker Community Council	Majeska Seese-Green	(541) 684-8064
The Whiteaker Community Council is the sanctioned neighborhood organization for the area where the project site is located. The Community Council has monthly neighborhood meetings and provides input and direction to the City of Eugene on matters of concern to the neighborhood.		

Neighborhood Economic Development Corporation (NEDCO)	Sandy Halonen	(541) 345-7106
NEDCO is a non-profit organization that promotes/facilitates home ownership opportunities for low income residents and neighborhood economic revitalization. NEDCO has been active in the project site's community for 25 years.		
St. Vincent de Paul Society of Lane County (SVDP)	Terry McDonald	(541) 687-5820
SVDP is a non-profit agency which undertakes affordable housing projects and provides numerous social services to low income residents of Lane County (child care, relief nursery, emergency housing, employment assistance)		
Housing Policy Board (HPB)	Richie Weinman	(541) 682-5533
The HPB is an inter-governmental, inter-agency group that promotes affordable housing opportunities in the Eugene/Springfield/Lane County area. The HPB is comprised of representatives from the Cities of Eugene and Springfield, Lane County, the Housing and Community Services Agency, non-profit agencies that undertake affordable housing projects (St., Vincent de Paul, Neighborhood Economic Development Corporation) and at large citizens.		

**G. Reduction of Threats to Human Health and the Environment**

1. Funds will be used to further delineate on site contamination and to determine if contamination has migrated to adjoining properties. Vapor intrusion into buildings on the project site and on adjoining properties will be characterized.

The proposed cleanup plan will significantly reduce the threat to human health and the environment by the removal of contaminated soil at the site and contamination that may have migrated off site. Currently, pathways of potential concern include vapor intrusion (of known carcinogens such as benzene) into the on-site building and adjoining properties that are improved with residences and businesses.

2. Lane County will continue to work with ODEQ to insure human health and the environment are protected during the remedial action. ODEQ will assist with project oversight through agreements with Lane County.
3. The cleanup plan for this site has been estimated to cost \$100,000 (including cost-share) and includes the following steps:
  - Delineation of on site soil contamination.
  - Determination of on site groundwater contamination
  - Off site contamination delineation of soil and groundwater
  - Removal of unsaturated, contaminated soil. Soil will either be disposed at a county landfill or treated off site with aeration and biological degradation.
  - Groundwater treatment if necessary with slow-release oxygenation material.

- Remediation of vapor intrusion to off site property if required.
  - Coordinate with ODEQ and ensure all work is planned and performed correctly;
  - Conduct community involvement activities to assure that area residents are aware of cleanup activities;
  - Install and operate a dual-phased (vapor and groundwater) remediation system.
  - Install groundwater monitoring wells to demonstrate plume stability and/or reducing dissolved phase petroleum constituents;
  - Collect quarterly groundwater samples to evaluate progress of effectiveness of cleanup actions;
  - Develop a site specific conceptual site and risk-based proposal for closure; and
  - Request a no further action letter.
4. Oversight of the project by ODEQ will ensure that the proposed cleanup plan will be protective of health and the environment. Cleanup activities will comply with all applicable Federal and State laws.
  5. N/A. Engineering controls are not planned.

#### **H. Leveraging of Additional Resources**

1. The cleanup phase of the project is estimated to cost \$90,000 and will be funded entirely by this grant and the cost share if awarded. Redevelopment of the site is valued at \$ 85,000.
2. Lane County will contribute staff time to manage the cleanup grant and activities. Lane County will include funding for the project in its budget process.
3. Lane County will seek financial assistance from ODEQ to further characterize the project site.

#### **I. Ability to Manage Grants**

1. Lane County staff, to include the property manager, accounting staff and the economic development coordinator, will be involved in managing the grant. The staff involved have experience in managing public funds with budget responsibility for their particular programs.
- Lane County will be working closely with the ODEQ. It is anticipated that the county and ODEQ will enter into an intergovernmental agreement whereby ODEQ will provide project oversight, thus insuring that the work is done by competent contractors and completed to required standards. In addition, the county has acquired in the past properties containing hazardous materials, to include abandoned mill sites, gas stations and properties used for illegal drug manufacturing, and has contracted with consultants to successfully remediate these properties. The county can draw on in house staff in its waste management division, attorney's office, environmental health division and accounting office for expertise in managing the grant and insuring the work is done to required standards.
2. Lane County, as a local government entity, manages millions of dollars of federal funds in delivering various services to citizens. Those services include mental health, public health, human services, energy assistance, public safety, public works and economic development.

3. Lane County has not been a recipient of an EPA Brownfields cooperative agreement.
4. Lane County has not been a recipient of an EPA Brownfields cooperative agreement.
5. Lane County has not been a recipient of an EPA Brownfields cooperative agreement.

**Attachments:**

- Attachment A – Service Area Maps
- Attachment B – News Release, News Articles
- Attachment C – Oregon DEQ Acknowledging Letter
- Attachment D - Oregon DEQ Eligibility Determination Letter
- Attachment E – Community Contacts, Letters of support
- Attachment F - Omnicon Environmental Management's Level II Assessment Report
- Attachment G- Neighborhood Data/Census Information



## **PUBLIC NOTICE**

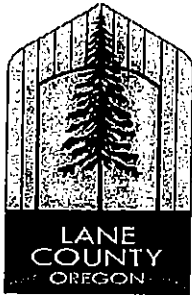
LANE COUNTY is in the process of preparing grant applications for submittal to the Environmental Protection Agency to secure funding for the cleanup of county owned real property contaminated with petroleum products. The properties subject to the grant applications are located at 267 Van Buren St, Eugene, OR and at 86714 McVay Hwy., Eugene, OR.

The grant application for the property at 86714 McVay Hwy. anticipates redevelopment of the property by SeQuential Biofuels, a marketer and distributor of bio-diesel. Lane County, the Oregon Department of Environmental Quality and SeQuential Biofuels would enter into agreements for cleanup of the property and eventual transfer of the property to SeQuential Biofuels.

No redevelopment plan has been identified at this time for the property at 267 Van Buren St.

The public is invited to comment and provide input on the grant applications. A draft of the grants is scheduled to be presented to the Lane County Board of Commissioners at their meeting scheduled on November 3, 2004. Interested parties can view the draft at that time and provide comment during the public comment period at the commissioner's meeting.

A draft of the grant document will be available after October 15, 2004. To provide comment prior to the November 3<sup>rd</sup> meeting and obtain further information on the grants please contact Lane County, Property Management Division, 125 E. 8<sup>th</sup> Ave., Eugene, OR 97401, (541) 682-4174.



## **LANE COUNTY GOVERNMENT NEWS**

**VISIT LANE COUNTY ONLINE AT  
[HTTP://WWW.LANECOUNTY.ORG/NEWS/](http://www.lanecounty.org/news/)  
For current news and archives**

**For Immediate Release x**

### **LANE COUNTY TO APPLY FOR EPA GRANTS FOR CLEANUP OF COUNTY PROPERTY CONTAINING HAZARDOUS WASTE**

*Contact: Jeff Turk, Property Management Officer, 682-4174*

**Who** Lane County, subject to final approval from the Board of Commissioners, will be applying for the grants. The Oregon Department of Environmental Quality (DEQ) will assist the county with the grant application.

**Where** Two properties will be involved in the grant applications (separate grant application for each property). One property is located in the Whiteaker neighborhood in Eugene at 267 Van Buren St. and is approximately 1/3 of an acre. The other property is located near Lane Community College at 86714 McVay Hwy.

**When** Application deadline is November 12, 2004. Grant awards are expected to be announced by May, 2005 (grants are awarded by a competitive selection process based on information in the grant application) Funding will be available approximately 3 months after awards are announced.

Review of the grant application by the commissioners is expected at their November 3, 2004 meeting. The public may comment on the grant application during the public comment period of the meeting. A draft of the grant document will be available after October 15<sup>th</sup>. For information on the grant and to provide comment prior to the November 3<sup>rd</sup> meeting please contact Jeff Turk, the county's Property Management Officer, at 682-4174.

**What** The EPA has grant funding available to governmental entities for the cleanup of property contaminated with petroleum products. Funding up to \$200,000 for each property is available. A 20% match is required by the applicant and can include "in kind" contributions. Grant funds must be expended within 2 years.

**Why** The purpose of the EPA grants is to assist communities in redeveloping contaminated properties for productive use.

**How** The properties were acquired by the county through property tax foreclosure. The property at 267 Van Buren was formerly occupied by a heating oil and solvent distributor. A level II environmental assessment confirmed the presence of significant amounts of petroleum products in the soil at various locations on the property. Preliminary cost estimates for remediation are \$50,000 - \$60,000.

The McVay Hwy. property was the site of a gas station. The underground storage tanks have been removed but substantial soil contamination remains. It is estimated that cleanup of the property will cost \$140,000.

SeQuential Biofuels, a marketer and distributor of bio diesel (diesel fuel made from vegetable oil), has contacted the county and the DEQ about a partnership where SeQuential Biofuels would contribute to the cleanup of the McVay Hwy. Property with funding and in kind contributions with the county then conveying the property to SeQuential Biofuels at the conclusion of cleanup activities.

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*Lane County Government provides for the safety and security of Lane County's 329,400 citizens through public safety, public works, human services, elections, vital records and other systems*





Neighborhood Economic  
Development Corporation

October 13, 2004

Jeff Turk  
Property Management Officer  
Lane County  
125 East 8<sup>th</sup> Avenue  
Eugene, OR 97401-2926

Re: County owned Property at 267 Van Buren

Dear Jeff:

NEDCO is very supportive of your grant proposal to clean up the 267 Van Buren property. The property is an eyesore and a magnet for trash dumped off by neighbors, businesses, and passersby. It needs desperately to be cleaned up so that it can be developed into a productive use.

Although NEDCO has no specific plans to develop this property, we would welcome the opportunity to develop a proposal on the site once clean. We have done community development and revitalization work in this neighborhood for over 25 years, and believe that would this property would offer a great opportunity to continue that work once it is clean and developable.

The Whiteaker neighborhood is a vibrant, yet fragile neighborhood, and positive community and business development is essential to its health.

Sincerely,

A handwritten signature in cursive script that reads "Sandy Halonen".

Sandy Halonen  
Executive Director



October 7, 2004

Majeska Seese-Green  
Whiteaker Community Council  
PO Box 11692  
Eugene, OR 97440.

Re: County owned Property at 267 Van Buren:

Dear Ms. Seese-Green:

As you may or not be aware, Lane County is the owner of the property at 267 Van Buren St. due to tax foreclosure.

The property was formerly used by heating oil distributors and Solvents distributors. An environmental site assessment done for the county did identify contamination in the soil consisting of petroleum products. In an effort to clean up the property, Lane County is currently in the process of applying for a grant from the Environmental Protection Agency (EPA) to clean up the property. If the grant is awarded, it would provide 80% of the estimated \$60,000 - \$70,000 clean up cost (the county would be responsible for 20%).

The grant does require that the applicant (the county) contact community organizations to inform them of the grant application and to allow them to review the application and provide comment/input. Comments can pertain to support of the application, input on the remediation plan and importance to the community of redeveloping the property. No specific redevelopment plan has been identified at this time and the Community Council can provide input on that as well which would be included in the application.

The application must be submitted to the EPA by November 12, 2004. The County Commissioners will review the application and vote on whether to submit it or not at their November 3, 2004 meeting. The public can comment on the matter during the public comment period at the beginning of the meeting. A draft of the application that will be submitted to the commissioners for review will be ready by October 20, 2004. Please contact me if you wish to view the application or provide written comment.

I hope the Community Council will take time to discuss the matter and provide comment to the county. Please call me if you have any questions.

Sincerely,

Jeff Turk

Property Management Officer  
(541) 682-4174

DEPARTMENT OF MANAGEMENT SERVICES  
PROPERTY MANAGEMENT DIVISION  
125 EAST 8TH AVENUE / EUGENE, OR 97401-2926  
OFFICE (541) 682-4174 / FAX (541) 682-4290



October 7, 2004

Sandy Halonen, Executive Director  
Neighborhood Economic Development Corporation (NEDCO)  
775 Monroe Street  
Eugene, OR 97402

Re: County owned Property at 267 Van Buren:

Dear Ms. Halonen:

As you may or not be aware, Lane County is the owner of the property at 267 Van Buren St. due to tax foreclosure.

The property was formerly used by heating oil distributors and Solvents distributors. An environmental site assessment done for the county did identify contamination in the soil consisting of petroleum products. In an effort to clean up the property, Lane County is currently in the process of applying for a grant from the Environmental Protection Agency (EPA) to clean up the property. If the grant is awarded, it would provide 80% of the estimated \$60,000 - \$70,000 cleanup cost (the county would be responsible for 20%).

The grant does require that the applicant (the county) contact community organizations to inform them of the grant application, allow them to review the application and provide comment/input. Comments can pertain to support of the application, input on the remediation plan and importance to the community of redeveloping the property. No specific redevelopment plan has been identified at this time and NEDCO can provide input on that as well which would be included in the application.

The application must be submitted to the EPA by November 12, 2004. The County Commissioners will review the application and vote on whether to submit it or not at their November 3, 2004 meeting. The public can comment on the matter during the public comment period at the beginning of the meeting. A draft of the application that will be submitted to the commissioners for review will be ready by October 20, 2004. Please contact me if you wish to view the application or provide written comment.

I hope NEDCO will take time to review the matter and provide comment to the county. Please call me if you have any questions.

Sincerely,

Jeff Turk

Property Management Officer  
(541) 682-4174

DEPARTMENT OF MANAGEMENT SERVICES  
PROPERTY MANAGEMENT DIVISION  
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OFFICE (541) 682-4174 / FAX (541) 682-4290



October 8, 2004

Terry McDonald, Executive Director  
Saint Vincent de Paul Society  
PO Box 24608  
Eugene, OR 97402

Re: County owned Property at 267 Van Buren:

Dear Mr. McDonald:

As you may recall, the Saint Vincent de Paul Society (SVDP) had expressed an interest in the Lane County owned property at 267 Van Buren St. which was acquired through tax foreclosure and had been identified as containing soil contaminated with petroleum products. Lane county is in the process of submitting a grant application to the Environmental Protection Agency (EPA) for funds to cleanup the property. The grant could provide 80% of the necessary funds.

The grant does require that the applicant (the county) contact community organizations to inform them of the grant application, allow them to review the application and provide comment/input. Comments can pertain to support of the application, input on the remediation plan and importance to the community of redeveloping the property. No specific redevelopment plan has been identified at this time and SVDP can provide input on that as well which would be included in the application.

The application must be submitted to the EPA by November 12, 2004. The County Commissioners will review the application and vote on whether to submit it or not at their November 3, 2004 meeting. The public can comment on the matter during the public comment period at the beginning of the meeting. A draft of the application that will be submitted to the commissioners for review will be ready by October 20, 2004. Please contact me if you wish to view the application or provide written comment.

I hope SVDP will take time to review the matter and provide comment to the county. Please call me if you have any questions.

Sincerely,

Jeff Turk  
Property Management Officer  
(541) 682-4174



## SUMMARY REPORT

### Preliminary Phase 2 Environmental Site Assessment Activities

261 / 267 Van Buren Street  
Eugene, Oregon

#### *Introduction*

A preliminary risk evaluation for the subject property was conducted using in-house historical aerial photographs, in-house historical occupancy maps, and our exclusive HEIRS™ environmental history database.

Both the street address # 261, and # 267, have historically been used in conjunction with the subject property. Heating oil distributors were listed as occupants of the subject property as early as 1931, and through at least 1982. Solvent distributors were listed as occupants in the period 1975 - 1982.

Aerial photographs and occupancy maps show at least one, and at times up to possibly six, aboveground storage tanks located over the course of the property's developmental history in the northeastern quadrant of the subject property (see attached site map). Aboveground tanks *may* have been located near the center of the western portion of the property in the 1930s, and there is evidence that an oil loading rack/transfer station may have been located in the northwestern quadrant of the site.

Inspection of the subject property on October 23, 2001, found the following features of potential significance:

- ▶ A low, narrow on-site building located at the north end of the subject property, with an attached shed/garage located just to the east of the building.
- ▶ The remains of a concrete containment wall, located in the northeast quadrant of the property and just south of the on-site shed.

- ▶ A capped standpipe in the tree belt along Van Buren Street, located approximately 15 feet to the south of the southwest corner of the on-site building.

Magnetometer survey indicated the presence of underground piping running towards the east southeast and under the adjacent sidewalk. The piping appeared to be directed towards the vicinity of the southeast corner of the concrete containment wall.

- ▶ A utility pole located just to the south of the southeast corner of the concrete containment wall. An electrical meter and panel was located on this pole, with eight (8) electrical conduits exiting the panel. This panel may have supplied power for pumps used to transfer petroleum products into and out of the aboveground tanks.

**Note:** We were unable to complete a magnetometer survey of the site due to the presence of large interferences (trucks; bus; autos; construction equipment; plumbing supplies), and the apparent presence of a large amount of ferrous debris on and just below the surface of the property.

### *Site Boring*

Five (5) borings were advanced on the subject property on November 1, 2001. A truck-mounted solid auger system was used for the borings. The purpose of this work was to complete a preliminary evaluation to:

- (a) determine if there was any residual petroleum or solvent contamination on the site
- (b) determine the nature of any such contamination
- (c) make a preliminary determination as to the extent of the subject property impacted
- (d) determine the vertical distribution of contamination in on-site soils, and whether underlying groundwater might be at risk for impact
- (e) make a preliminary determination as to the magnitude of any contamination detected.

**Boring No. 1 (B-1)** was placed approximately between where two of the larger aboveground tanks had formerly been located (south portion of containment area). Obvious soil contamination was encountered within 3.5 feet of ground surface, and persisted and increased to a depth of approximately 9.5 feet below ground surface (bgs)(BOH: bottom of hole). The groundwater water table appeared to be located just below the bottom of the boring, *i.e.*, at between 9.75 and 10 feet bgs. A sample of greyish-blue stained soil, with a moderately-high level of petroleum odor, was recovered from the 9.5 foot depth interval for laboratory analysis (Sample VB-B1-9.5).

**Boring No. 2 (B-2)** was placed in the northern third of the containment area, in the center of an area where smaller tanks had been located. Obvious soil contamination was encountered within 3 feet of ground surface, and persisted and increased to a depth of approximately 7 feet bgs (BOH). A sample of blue stained soil, with a very strong petroleum odor, was recovered from the 7 foot depth interval for laboratory analysis (Sample VB-B2-7).

**Boring No. 3 (B-3)** was located approximately 12 feet to the south of the south end of the concrete containment wall (west southwest of the electrical pole and panel), in an area where a loading rack might have been located. No contamination was detected at this location until a depth of approximately 8 feet bgs (note: ground surface at B-3 is approximately 1 foot higher than at B-1/B-2). This finding suggests that B-3 is not in an area where surface releases of petroleum occurred. A sample of blue stained soil, with a strong petroleum odor, was recovered from the 8.5 foot depth interval (BOH) for laboratory analysis (Sample VB-B3-8.5).

**Boring No. 4 (B-4)** was located on the west side of the property in an area where historical aerial photographs suggested that aboveground tanks *might* have been located in the 1930s. No contamination was detected at this location until a depth of approximately 8.5 feet bgs (note: ground surface at B-4 is approximately 1 foot higher than at B-1/B-2). Soils in the 8.5 - 9.0 foot depth (BOH) interval were stained olive to olive-blue in color, and had a moderate level of petroleum odor. This finding suggests that B-4 is not in an area where surface releases of petroleum occurred, and may be somewhat distal to contaminant sources. No soil sample was obtained at this location.

**Boring No. 5 (B-5)** was placed just to the east of the identified standpipe, in an area where an oil transfer station (loading rack) may have been located. An underground electrical conduit, running from the southwest corner of the on-site building towards the

southeast, was encountered at approximately 1.5 foot depth. Contamination was detected beginning at a depth of 4 - 4.5 foot depth, and persisted and increased to a depth of approximately 8.5 feet bgs (BOH). This finding suggests that B-5 may be in an area where at least some level of surface releases of petroleum occurred. A sample of olive stained soil, with a moderate level of petroleum odor, was recovered from the 8.5 foot depth interval for laboratory analysis (Sample VB-B5-8.5).

## Summary of Results

[illegible]

Notes: ppm = parts per million (mg/Kg)

ppb = parts per billion (ug/Kg)

na = not applicable (not tested for)

nd / ND = none detected

[Notes continued on next page]



Cleanup values are shown for those contaminants that were detected at or near an applicable cleanup limit (contaminant shown in **bold**)

VOA = volatilization to outdoor air

VIB = vapor intrusion into buildings

LGW = leaching to groundwater

\*\* ECD soil cleanup standards: Methylene Chloride, 100 - 10,000 ppb

Soil Matrix Cleanup assumes Level 2 site

Generic RBC limits are for soils in occupational settings; residential limits may be considerably lower

### *Discussion of Results*

#### **Sources and Distribution of Contaminants:**

The results indicate that surficial releases of petroleum products have occurred within the containment area (northeast quadrant), resulting in significant soil contamination (3 foot depth to water table).

The results also suggest that surficial or near-surface releases have occurred to the south of the southwest corner of the on-site building, in an area where a product transfer station (loading rack) is suspected of having been located. This contamination may be the result of surface spillage, or may be the result of leakage from underground piping.

Contamination appears to have migrated, within at least the upper portion of the saturated zone (8 - 10 feet bgs), to the south and/or southwest of the source areas. The extent of this migration is not known. It is also not known at this time if there has been significant migration of contaminants towards the north or east of the source areas. It is noted that OMNICON Environmental Management participated in the cleanup of a waste oil tank located inside the east side of the West Side Foreign Auto facility (located immediately to east of subject property) in 1995. The remedial excavation extended to a depth of 12 - 14 feet. No evidence of contamination having characteristics similar that identified on the subject property was detected.

Given the depth to which contamination appears to have migrated, it is our opinion that some level of impact to groundwater has occurred, and that some contaminant components may have been mobilized by groundwater. The site-specific gradient (direction of flow of groundwater) is not known at this time. In the general vicinity of the subject property, the predominant directions of flow measured have been towards the

northwest, west, and/or southwest.

Dismantled heating oil distributorship facilities that we have investigated previously have been found to contain underground components that can be an additional source for contamination. Mixing/pressure equalization boxes (underground tanks) are often found between the aboveground storage tanks and the loading rack. Piping from the storage tanks to the loading rack is often found to be leaking. At this time it is not known if such underground components are present on the subject property. A magnetometer survey was attempted, but interferences from vehicles, equipment, plumbing supplies, and metallic debris prevented the obtaining of any meaningful data.

### **Characterization of Contaminants:**

All soil samples acquired were analyzed for the presence of primary petroleum products (*i.e.*, gasoline; mineral spirits; kerosene; diesel; lubricating oil). Contaminants in the diesel oil range were detected in all samples. This would be indicative of the presence of heating oil. However, the predominant soil contaminant, found in all samples analyzed, was in the gasoline range. Analysis of soil samples obtained from within the containment wall area (area of heaviest contamination) for volatile organic compounds (VOCs) found a profile and constituents that would suggest that the detected gasoline-range contaminant was not actually gasoline. The under-representation of primary aromatic hydrocarbons (Benzene; Toluene; Ethylbenzene; Xylenes) in the product, together with the presence of Acetone, suggest that the product was actually a generic petroleum naphtha. This type of product has been widely available through local solvent distributors. A small amount of Methylene Chloride was also detected in the most heavily contaminated soils. This might be a secondary contaminant, or a constituent of a proprietary petroleum solvent product.

Soil samples obtained from the area of heaviest contamination were also tested for the presence of Polychlorinated Biphenyls (PCBs: a common contaminant of pre-1980 heating oil). No PCBs were detected on the subject property.

### ***Conclusions and Recommendations***

Gross-levels of heating oil, and what appears to be petroleum naphtha, soil contamination are present from near ground surface to a depth of at least 9.5 feet within the former aboveground tank containment area. The heaviest contamination appears to be located in the northern half of this area. Significant levels of soil

contamination are also located, from approximately 4 feet below ground surface to at least a depth of 8.5 feet, on the northwestern part of the property where a loading rack may formerly have been located. Migration of contamination from one or more of these sources appears to have occurred, within the upper extent of the saturated zone, to the south and/or southwest of the source areas.

Oregon does not have specific cleanup standards for aboveground releases of petroleum products. In most cases, the standards used by the leaking underground tank program are used as default cleanup criteria.

Soils on the subject property exceed "numeric soil matrix cleanup" standards for gasoline in all areas evaluated, and for diesel in at least the north end of the containment area. However, as contamination appears to extend to, and probably has impacted, groundwater, it is unlikely that soil matrix standards would be allowed to be used for a cleanup of this site.

More likely, "Risk-Based Concentration" (RBC) standards would be utilized. For soil contaminants, the only area that appears at this time to not meet RBC criteria is the containment area (northeast quadrant of property), where generic limits for 1,2,4-Trimethylbenzene are exceeded, in an occupational setting (*i.e.*, commercial use of property) for the three exposure pathways: Leaching to groundwater, volatilization to outdoor air, and vapor intrusion into buildings.

It is our preliminary opinion that remediation of soils in, and possibly immediately surrounding, at least portions of the former containment structure would be appropriate. At this time it would appear that the most efficient method for soil remediation would be excavation. It might also be appropriate to conduct limited excavation in the area of the former loading rack (vicinity of Boring No. 5), and to expose and remove piping and any other underground features located between the former loading rack and the former aboveground tanks.

The cost for completing limited remedial excavation (removal of gross levels of contamination with the goal of reducing soil contaminant levels to below generic RBC standards) would depend upon the actual volume of soil removed, the soil management procedure utilized (*i.e.*, off-site disposal; on-site treatment), and the cost to decommission any underground components encountered. Based upon removal of a total of 600 cubic yards of contaminated soil, remedial excavation might be expected to cost in the \$ 30,000 (on-site treatment) to \$ 45,000 (off-site disposal) range (cost projection includes excavation, backfill, cleanup consultant supervision, laboratory analyses, reporting, and permits).

However, before any remedial action was initiated it would be prudent to assess contaminant impact to groundwater, as groundwater issues could modify cleanup goals and requirements. An assessment of groundwater quality would also probably be required by the Department of Environmental Quality (DEQ) before any cleanup plan was approved by the agency.

We would strongly argue against the use of borings or probings to define groundwater quality at this site. It has been our experience that obtaining groundwater samples through temporary boreholes that have been installed through a contaminated layer usually results in the level of groundwater contamination being substantially over-estimated. For this type of site, the installation of push-probe monitoring wells (3/4" diameter) is preferred, with at least a one month equilibration period allowed between well installation and sampling. We would suggest placement of four (4) wells as shown on the attached site map, as an initial assessment. Monitoring results may indicate the need for, or DEQ might require, the installation of additional wells. We would estimate the cost to install the four well network at \$ 3,500, and acquisition and analysis of groundwater samples (VOCs and Polynuclear Aromatic Hydrocarbons) at \$ 2,000 per monitoring event (4 wells sampled each event).

## *Limitations*

The purpose of a Phase 2 Environmental Site Assessment is to confirm, to the extent reasonably possible, whether environmental contaminants have significantly impacted the subject property, and to provide preliminary information as to the nature and extent of any such contamination detected. In performing an environmental assessment, it is understood that a balance must be struck between a reasonable inquiry into environmental issues and an exhaustive analysis of each conceivable issue of potential concern. The environmental assessment contains professional opinions as to the environmental issues of concern and/or additional actions which may be addressed at the property. In rendering its professional opinion, we warrant that services provided hereunder were performed, within the limits described, in accordance with current generally accepted environmental consulting principles and practices. No other warranty, express or implied, is made. The following paragraphs discuss the assumptions and parameters under which such an opinion is rendered.

No investigation is thorough enough to exclude the presence of hazardous materials at a given site. Therefore, if no hazardous materials have been identified during the assessment, such a finding should not be construed as a guarantee of the absence of such materials on the property, but rather the results of services performed within the scope, limitations, and cost of the work performed.

Any opinions and/or recommendations presented apply to site conditions existing at the time of performance of services. We are unable to report on or accurately predict events which may impact the site following performance of the described services, whether occurring naturally or caused by external forces. We assume no responsibility for conditions we were not authorized to investigate, or conditions not generally recognized as environmentally unacceptable at the time services were performed.

We are not responsible for the accuracy of any information provided to us by any governmental agency, any records inspected, or any other third party contacted or interviewed. We are also not responsible or liable for findings contained in any report utilized in this assessment that was not prepared by ourselves. The scope of this assessment does not purport to encompass every record, report or other form of documentation relevant to the subject property.

Where subsurface work was performed, our professional opinions are based in part on interpretation of data from discrete sampling locations which may not represent actual conditions at non-sampled locations. We are also not responsible, or liable, for the accuracy of any data generated by independent testing or analytical laboratories.

We are not responsible for any potential impact to the property attributable to this document due to changes in applicable environmental standards, practices or regulations following performance of services.

Statements concerning the nature of environmental liability made in this report are intended only to assist our client in understanding a complex regulatory field. As such, they are not to be construed as legal advice nor binding statements of law.

Except where there is express concern of our client, or where specific environmental contaminants have been previously reported by others, naturally occurring toxic substances, potential environmental contaminants located inside buildings, or contaminant concentrations which are not of current environmental concern may not be reflected in this document. The following activities have not been included in the scope of this assessment unless specifically stated to the contrary elsewhere in this report: wetlands and riparian zone determination or delineation; natural resources evaluation; flood plain determination; seismic hazards evaluation; land use compliance evaluation; geotechnical analysis; chain of title/lien review; archeological review; asbestos survey; radon testing; lead-based paint survey; drinking water testing (supply and/or on-site distribution system); noise evaluation; industrial hazards evaluation; air quality determination; general environmental, and/or occupational health and safety, regulatory compliance audit, including emissions/discharge permit review.

Site restoration is limited, unless otherwise specified and agreed to in advance, to appropriate backfilling of excavations, closure of borings in accordance with applicable regulations, and removal of all overt safety hazards from the work area.

It is our opinion that the assessment performed conforms with, and meets and/or significantly exceeds the criteria established by, the ASTM E 1527-97 environmental assessment and/or the ASTM 1903 Phase II assessment "standards". However, we have identified numerous inconsistencies, ambiguities, locally-irrelevant issues, and potentially serious deficiencies in some of these "standards". Furthermore, as we are not associated or affiliated in any way with ASTM, and ASTM does not certify, or otherwise assure quality of performance from, any entity claiming to conform to these "standards", we do not represent our work as being an "ASTM assessment".

Services hereunder were performed in accordance with our agreement and understanding with, and solely for the use of, our client. Opinions and/or recommendations are intended for the client, purpose, site, location, time frame and project parameters indicated. We are not responsible for subsequent separation, detachment or partial use of this document. Any reliance on this report by a third party shall be at such party's sole risk.



Frederick W. Scalise, Ph.D., RPIH, CHMM  
Senior Consultant



30 November 2001

CHMM = IHMM Certified Hazardous Materials Manager; Certification No. 2543  
RPIH = APIH Registered Professional Industrial Hygienist; Registration No. 04120497

Attachments:      Site Map  
                         Laboratory Data

ALLEY

WEST SIDE FOREIGN AUTO

RESIDENCE

SHED/GARAGE

261 / 267 BUILDING

N

FORMER TANKS

REMANANTS OF CONCRETE  
CONTAINMENT WALL

UTILITY POLE:  
POWER PANEL

SUSPECTED LOADING  
RACK SITE

ELECTRICAL CONDUIT

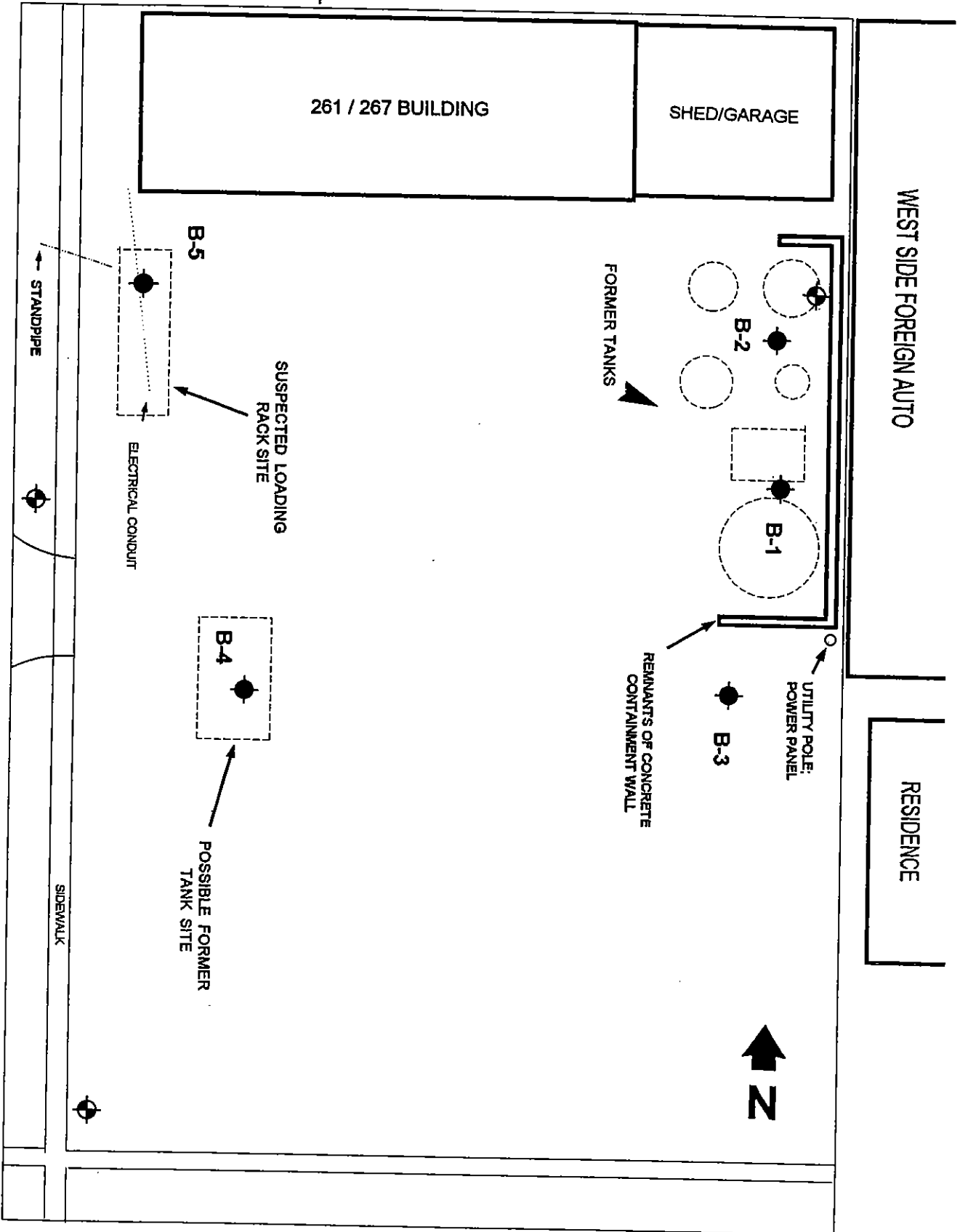
STANDPIPE

SIDEWALK

VAN BUREN

⊙ = proposed monitoring  
well

WEST 3<sup>RD</sup>



# Whiteaker Neighborhood Area

## POPULATION CHARACTERISTICS

Total population 4,454  
Percent of Eugene area population 2.8%

### Race

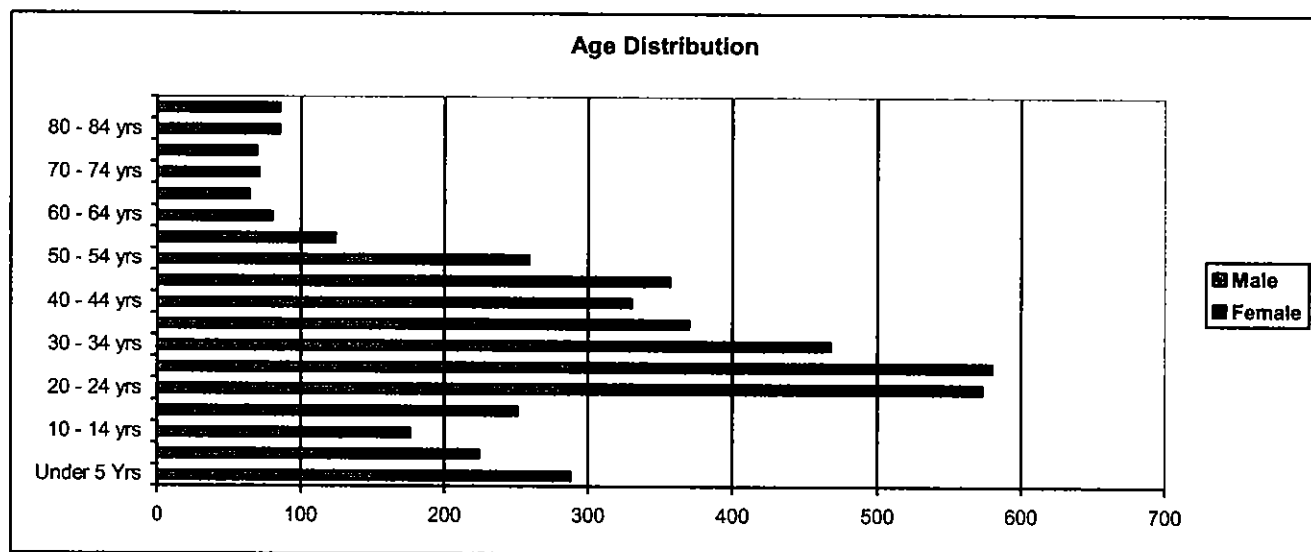
White	3,633	81.6%
Black or African American	68	1.5%
American Indian, Alaskan Native	92	2.1%
Asian	78	1.8%
Native Hawaiian, Pacific Islander	10	0.2%
Other race	351	7.9%
Two or More Races	222	5.0%
Hispanic or Latino	582	13.1%

### Age and sex distribution

Male	2,335
Female	2,119
Median age	31.4

### Household type

Number of households	2,216
Persons per household	1.97
Number of one-person households	1,064
Family Households	765
Persons per family	3.09
Married couple families	414
With children under 18	192
Single Parent Families	250
Female-headed	186
Male-headed	64
Non-Family Households	1,451
One-person households	1,064
Other non-family households	387
Number of children under 18	857



## HOUSING CHARACTERISTICS

All housing units 2,379  
Vacancy rate 6.85%

### Housing type

Single Family	648
Duplex	161
Multi-family	1,511
Manufactured housing	40
Group quarters	1

### Occupied housing units

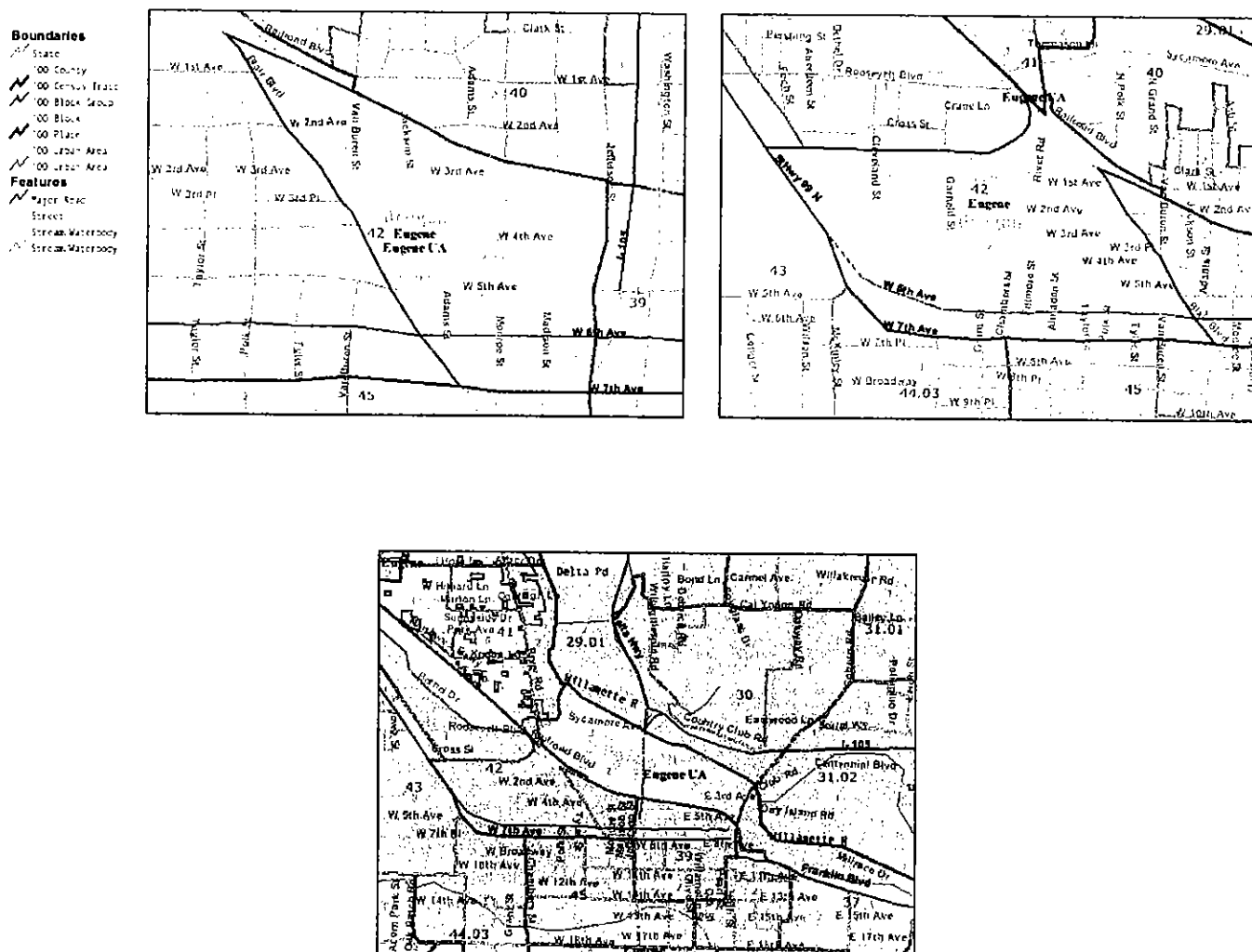
Owner-occupied housing units	404
Percent of total occupied units	18.2%
Renter-occupied housing units	1,812
Percent of total occupied units	81.8%



This section of the Neighborhood Analysis is taken from Census sample data that is only reported at the Block Group level. Block groups and neighborhood boundaries do not align. The data below is from Census Tract 40; Census Tract 42, Block Groups 2 and 3.

This includes the majority of the Whiteaker Community Council neighborhood, except for a small portion northwest of Thomason Lane. The census area also includes the Downtown Neighborhood Association's Skinner Butte Historic District Area.

Because the data is subject to sampling error and the census neighborhood boundaries do not align, the following information only illustrates the general area.



## ECONOMIC CHARACTERISTICS

### Census Tract 40 Income in 1999

Median Family income	31,219
Median Household income	22,615
Per capita income	17,146

### Poverty status in 1999

Families below poverty level	177
Percent of total families	21.5%
Persons below poverty level	1,489
Percent of total persons	29.6%

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**Census Tract 42, Block Group 2****Income in 1999**

Median Family income	29,688
Median Household income	25,282
Per capita income	14,005

**Ratio of income to 1999 poverty level**

Persons below 50% of poverty level	719
Persons below 125% of poverty level	1,914
Persons below 200% of poverty level	2,831

**Census Tract 42, Block Group 3****Income in 1999**

Median Family income	23,750
Median Household income	19,250
Per capita income	12,408

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**LABOR CHARACTERISTICS**

Persons 16 years and over	4,276
In labor force	2,956
Percent in labor force	69.1%
Civilian labor force	2,956
Unemployed	378
Percent unemployed	12.8%
Males in labor force	1,727
Females in labor force	1,229

**Occupation**

Management, professional, and related occupations	748
Service occupations	456
Sales and office occupations	532
Farming, fishing and forestry occupations	51
Construction, extraction and maintenance occupations	234
Production, transportation, and material moving occupations	557

**Class of Worker (percent employed by)**

Private for-profit wage and salary	70.2%
Private not-for-profit wage and salary	9.7%
Government	10.7%
Self-employed	9.5%
Unpaid family worker	0.0%

**Means of transportation to work**

Workers 16 years and older	2,538
Percent driving alone	48.3%
Percent carpooling	12.8%
Percent using public transportation	6.9%
Percent using motorcycle	0.2%
Percent using bicycle	15.5%
Percent walking	11.9%
Percent using other means	0.0%
Percent working at home	4.4%
Mean travel time to work (minutes)	
Census Tract 40	16.6
Census Tract 42, Block Group 2	20.3
Census Tract 42, Block Group 3	17.1

**Educational attainment**

Persons 25 years and older	3,555
Less than 9 <sup>th</sup> grade	154
9 <sup>th</sup> to 12 <sup>th</sup> grade	366
High school graduate	845
Some college, no degree	971
Associate degree	254
Bachelor's degree	568
Graduate, professional degree	397
Percent high school graduate or higher	85.4%
Percent bachelor's degree or higher	27.1%

**Veteran status**

Civilian veterans 18 years and over	437
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**Disability of civilian non-institutionalized persons**

Total disabilities tallied	2,326
People 5 to 15 years	71
People 16 to 64 years	1,686
People 65+ years	569

Tract: 3600

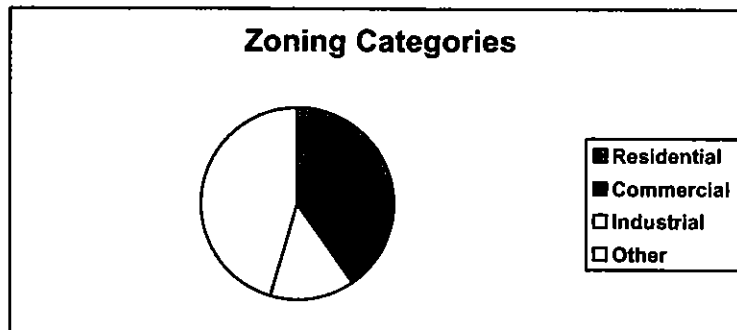
Subject	Number	Percent	Subject	Number	Percent
<b>Total population</b>	<b>3587</b>	<b>100.0</b>	<b>RELATIONSHIP</b> <a href="#">Histogram</a> <a href="#">Pie Chart</a>		
Population change 1990 – 2000	365	11	<b>Total population</b>	<b>3587</b>	<b>100.0</b>
			In households	3572	99.6
			Householder	1615	45.0
<b>SEX AND AGE</b> <a href="#">Histogram</a> <a href="#">Pie Chart</a>			Spouse	648	18.1
Male	1827	50.9	Child	763	21.3
Female	1760	49.1	Other relative	98	2.7
			Non-relative	448	12.5
Under 5 years	158	4.4			
5 to 9 years	180	5.0	In group quarters	15	.4
10 to 14 years	193	5.4	Institutionalized population	0	.0
15 to 19 years	216	6.0	Non-institutionalized population	15	.4
20 to 24 years	279	7.8			
25 to 34 years	445	12.4	<b>HOUSEHOLD BY TYPE</b> <a href="#">Histogram</a> <a href="#">Pie Chart</a>		
35 to 44 years	544	15.2	<b>Total households</b>	<b>1615</b>	<b>100.0</b>
45 to 54 years	732	20.4	Family Households	853	52.8
55 to 59 years	225	6.3	With own children under 18 years	348	21.5
60 to 64 years	158	4.4	Married-couple family	648	40.1
65 to 74 years	233	6.5	With own children under 18 years	235	14.6
75 to 84 years	164	4.6	Female householder, no husband present	143	8.9
85 years and over	60	1.7	With own children under 18 years	79	4.9
Median age (years)	41.6		Male householder, no wife present	62	3.8
			With own children under 18 years	34	2.1
18 years and over	2923	81.5			
Male	1490	41.5	Nonfamily households	762	47.2
Female	1433	39.9	Householder living alone	540	33.4
65 years and over	457	12.7	Households w/ individuals under 18 years	381	23.6
Male	207	5.8	Households w/ individuals 65 years +	357	22.1
Female	250	5.8	Average household size	2.21	(x)
			Average family size	2.77	(x)
<b>RACE</b>			<b>HOUSING OCCUPANCY</b> <a href="#">Pie Chart</a>		
One Race	3467	96.7	<b>Total housing units</b>	<b>1752</b>	<b>100.0</b>
White	3252	90.7	Occupied housing units	1615	92.2
Black or African American	23	.6	Vacant housing units	137	7.8
American Indian and Alaskan Native	41	1.1	For rent	95	5.4
Asian	89	2.5	For sale	17	1.0
Native Hawaiian/Other Pacific Islander	2	.1	Rented or sold, not occupied	5	.3
Some other race	60	1.7	For seasonal, rec., or occasional use	6	.3
Two or more races	120	3.3	For migrant workers	0	.0
			Vacant, other use	14	.8
<b>HISPANIC OR LATINO</b>			<b>HOUSING TENURE</b>		
Hispanic or Latino (of any race)	155	4.3	<b>Occupied housing units</b>	<b>1615</b>	<b>100.0</b>
Not Hispanic or Latino	3432	95.7	Owner-occupied housing units	1170	72.4
			Renter-occupied housing units	445	27.6
			Avg. hh size of owner-occupied units	2.23	(x)
			Avg. hh size of renter-occupied units	2.17	(x)

(x) Not Applicable

Source: U.S. Census Bureau, Census 2000

## LAND USE CHARACTERISTICS

Zoning	Acres	Land Use	Acres
Exclusive Farm Zoning	0.00	Agriculture	0.00
Forest Zoning	0.00	Timber	0.00
Rural Zoning	0.00	Single Family	87.22
AG Agricultural	0.00	Duplex	11.56
RA Suburban Residential	14.11	Multi-Family	43.91
R1 Low Density Residential	46.99	Mobile Home	2.46
R2 Limited Multi-Family Residential	50.31	Group Quarters	2.06
R3 Multiple-Family Residential	15.60	Retail Trade	33.13
R4 High Rise	3.35	Services – General	47.93
GO General Office	0.10	Services – Government	3.60
C1 Neighborhood Commercial	0.25	Services – Education	17.63
C2 General Commercial	55.66	Services – Religious, Charitable	6.05
C3 Major Commercial	0.00	Industrial	23.87
C4 Commercial Industrial	0.00	Wholesale Trade	14.55
I1 Special Light Industrial	0.00	Transportation	2.85
I2 Light Medium Industrial	51.64	Communication	0.00
I3 Heavy Industrial	13.96	Railroad	0.51
I4 Special Heavy Industrial	0.00	Utilities	1.15
Historic	7.32	Recreation	2.23
Mixed Use	53.41	Parks	135.59
Public Land	151.08	Water	0.00
Special Development	0.00	Alleys, Bikepaths	0.46
Sand and Gravel	0.00	Roads	5.23
Outside UGB	0.00	Vacant	21.81



## CRIME DATA

Crime Categories	Number
Persons Crimes	233
Property Crimes	703
Behavior Crimes	1,290

### Percent of Total Eugene Crime

Persons Crimes	11.5%
Property Crimes	5.3%
Behavior Crimes	15.3%

