

**Draft Phase I Environmental Site Assessment
Elmonica Opportunity Site
17030 SW Baseline Road
Beaverton, Oregon**

February 23, 2018

Prepared for

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LIST OF ABBREVIATIONS AND ACRONYMS

AAI.....	all appropriate inquiry rule
AST	aboveground storage tank
ASTM.....	ASTM International
bgs.....	below ground surface
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
City	City of Beaverton
DRO	diesel-range organics
EDR.....	Environmental Data Resources, Inc.
EPA.....	U.S. Environmental Protection Agency
ESA	environmental site assessment
ft.....	foot/feet
GRO	gasoline-range organics
HOTs.....	heating oil tanks
ID.....	identification
LAI	Landau Associates, Inc.
Metro	Office of Metro Attorney
NFA	no further action
no.....	number
ODEQ.....	Oregon Department of Environmental Quality
ppm.....	parts per million
ROW	right-of-way
Setniker	Setniker Family Revocable Trust
sq ft	square feet
SW.....	southwest
USC.....	United States Code
UST	underground storage tank

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1.0 INTRODUCTION

At the request of the Office of Metro Attorney (Metro), Landau Associates, Inc. (LAI) conducted a Phase I environmental site assessment (ESA) at the property located at 17030 SW Baseline Road in Beaverton, Oregon (subject property; Figure 1).

Property name:	Elmonica Opportunity Site
Property parcel number(s) and address:	The subject property includes Washington County parcel no. R37258, located at 17030 SW Baseline Road in Beaverton, Oregon.
Legal description (or other physical property description):	The 1.07-acre subject property features a 1,525-square-foot (sq ft) building in its northeast portion. A small Conex box is connected to the southeast side of the building. The western portion of the subject property is undeveloped.

The purpose of the Phase I ESA was to assess and document *recognized environmental conditions*, *historical recognized environmental conditions*, and *controlled recognized environmental conditions* at the subject property that may pose a potential liability to an owner or operator of the property. We understand that the subject property is currently owned by Setniker Family Revocable Trust (Setniker). Metro plans to purchase the subject property and develop with a multilevel residential building with commercial space.

Recognized environmental conditions are defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. The term includes hazardous substances or petroleum products, even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions, which generally do not present a threat to human health or the environment and would not be the subject of an enforcement action if brought to the attention of the appropriate government agencies.

A *historical recognized environmental condition* is defined as a past release of any hazardous substances or petroleum products that has occurred in connection with a property and has been addressed to the satisfaction of the applicable regulatory authority or has met unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

A *controlled recognized environmental condition* is defined as a *recognized environmental condition* resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place, subject to the implementation of required controls.

This assessment also identified, as appropriate, potential environmental concerns, or conditions that do not satisfy the definition of a *recognized environmental condition*, but warrant recognition by the user of this report.

This Phase I ESA was conducted by the following professionals.

Project Professionals	
Data collection and review, site reconnaissance, and reporting:	Della Fawcett, Senior Project Geologist (Environmental Professional)
Senior professional and quality reviewer:	Kathryn Hartley, Associate (Environmental Professional)

2.0 SCOPE OF SERVICES

Services were performed in general accordance with the scope outlined in our January 26, 2018 proposal and included a review of the subject property history and agency information, interviews, and a site reconnaissance to observe current land-use activities and environmental conditions.

LAI conducted this Phase I ESA in accordance with the guidelines of ASTM International (ASTM) standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. While subject to change (as are all ASTM standards), this standard is recognized as meeting the due diligence provisions of the federal statute (Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA]; 42 United States Code [USC] 9601[35][B]) and the Oregon Hazardous Substances Remedial Action Rules (Oregon Administrative Rule 340-122) at the time this report was prepared. ASTM standard E1527-13 satisfies the U.S. Environmental Protection Agency's (EPA's) all appropriate inquiry (AAI) rule, which establishes requirements purchasers must meet to limit their environmental liability under CERCLA and qualify for liability protections, including the "Innocent Purchaser," "Bona Fide Prospective Purchaser," and "Contiguous Property Owner" liability defenses provided by CERCLA.

Elements not included in ASTM standard E1527-13 (e.g., identification, sampling, and analysis of asbestos, radon, lead paint, lead in drinking water, and/or wetlands; regulatory compliance; cultural and historic resources; indoor air quality and vapor intrusion, including the potential presence of mold or other biological contaminants; industrial hygiene; health and safety; ecological resources; and endangered species) were excluded from our scope of services.

The Phase I ESA is not a means of "finding everything there is to know about a property." Rather, it is an effort to evaluate the environmental liabilities associated with a property based on reasonably available documentation (both oral and written) that can be obtained within the confines of the budget, schedule, and project-specific limitations, all in accordance with the EPA's AAI rule. Authorization to proceed with these services was provided by Metro on January 29, 2018.

2.1 Limitations and Exceptions

The following summarizes exceptions, limitations, and restrictions to the scope of services.

Exceptions to, or deletions from, the above-referenced scope of services:	None.
Weather-related property restrictions:	None.
Property/facility access restrictions:	At the time of the reconnaissance, the building floor was covered in material and debris, preventing full inspection.

Data gaps identified during this Phase I ESA are discussed in Section 9.1.

3.0 SITE DESCRIPTION AND SETTING

The subject property is located in an area of mixed commercial and residential use, southwest of the intersection of SW Baseline Road and SW 170th Avenue, northwest of Beaverton, Oregon, approximately ¼ miles northeast of Beaverton Creek (Figures 1 and 2).

3.1 Subject Property Description

The subject property is characterized by the following features.

Property description (acreage, structures, roads, and other improvements):	The subject property comprises a 1.07-acre, L-shaped parcel, located at the southwest corner of SW Baseline Road and SW 170th Avenue in Beaverton, Oregon. A 1,525-sq-ft building located in the northeast portion of the subject property includes an office area and vehicle maintenance shop. A small Conex box used for storage is attached to the southeast side of the maintenance shop. The Conex box is set on temporary footings. A gravel drive connecting SW Baseline Road and SW 170th Avenue cuts across the subject property at a diagonal. The remaining portions of the subject property are vegetated with grass that shows evidence of being regularly mowed.
Property access:	The subject property is accessible from SW Baseline Road to the north or SW 170th Avenue to the east.
Estimated percentage of property covered by buildings and/or pavement:	Building cover approximately 10 percent of the subject property. The remaining 90% is covered by vegetation.
Property operations:	The subject property is currently unoccupied, but was previously operated as a gasoline station and an automobile service station.
Type of sewage disposal system provider:	The subject property is served by Tualatin Valley Water District.
Potable water source/provider:	The subject property is served by Tualatin Valley Water District.
Electric utility:	The subject property is served by Portland General Electric.
Natural gas utility:	The subject property is not currently served by a natural gas provider.
Stormwater management facilities:	Stormwater collects in a downspout on the southeast side of the building and is discharged into the ground. Additional stormwater is allowed to infiltrate into the ground.

The subject property and nearby properties are shown on Figures 2 and 3. Selected site photographs are provided in Appendix A.

3.2 Adjacent Properties

The subject property is adjacent to the following properties (Figure 2).

North:	The subject property is bordered to the north by SW Baseline Road. Residential apartments with street-level retail are located beyond SW Baseline Road.
West:	A single-family home and associated property is located west of the subject property. Additional residences and some limited commercial properties are located farther west of the subject property.
South:	The subject property is bordered to the south by a property currently for lease. The property includes a vacant, single-story building and a parking lot that borders the subject property. A Reser's Fine Foods distribution center is located south of the western portion of the subject property, and a day school and residential homes are located further south of the subject property.
East:	The subject property is bordered to the east by SW 170th Avenue. A residential neighborhood is located east of SW 170th Avenue.

3.3 Site Geology and Hydrogeology

The subject property topography, geology, hydrogeology, and surface water are described below.

Topography:	The subject property is generally flat, with land surface in the vicinity sloping gently downward to the southwest. The subject property is situated at an elevation of 215 feet (ft).
Geology:	A geologic map of the area (Beeson et al. 1989) indicates that the subject property is underlain by Pleistocene-age channel facies deposited in a major flood channel. These sediments are composed predominately of complexly interlayered silt, sand, and gravel. Geologic logs from a nearby exploration indicate that the subject property is underlain by silty sands to 20 ft below ground surface (bgs; OWRD, accessed February 5, 2018).
Hydrogeology:	Groundwater in the vicinity of the subject property is anticipated to flow to the southwest based on topography and proximity to Beaverton Creek. Geologic logs from nearby explorations indicate that groundwater is present at approximately 10 to 13 ft bgs (OWRD, accessed February 5, 2018).
Floodplain and surface water features:	Based on the Environmental Data Resources, Inc. (EDR) Radius Map (Appendix B), the subject property is not located within a 100-year or 500-year flood zone, as defined by the Federal Emergency Management Agency. No surface water features are present on the subject property, and the nearest surface water body is Beaverton Creek, located southwest of the subject property.

4.0 HISTORICAL INFORMATION

LAI reviewed the following documents to develop the history of the subject and adjacent properties and assess the potential for site contamination.

- Aerial photographs (EDR 1934, 1936, 1947, 1951, 1960, 1963, 1970, 1975, 1981, 1990, 1994, 2000, 2005, 2011, and 2014).
- Topographic maps (EDR 1915, 1916, 1918, 1940, 1954, 1961, 1970, 1975, 1984, 1985, 1995, and 2014).
- City directories (EDR 1992, 1995, 2000, 2005, 2010, and 2014).

Copies of the EDR historical aerial photographs, topographic maps, and city directory listings are provided in Appendices C, D, and E, respectively. Sanborn Fire Insurance Maps were requested from EDR, but coverage was not available for the subject property.

LAI reviewed the historical aerial photographs, topographic maps, and city directories for the years listed above. City directory listings are described where significant findings were present or where they correspond with information from other historical documents. Historically and/or environmentally significant findings from the maps, photographs, and city directory listings are summarized below.

Year	Aerial Photograph	Topographic Map	City Directory	Subject Property	Adjacent and Nearby Properties
1915–1954	X	X		<p>Topographic maps from 1915 through 1940 show a structure in the northeast corner of the subject property.</p> <p>Residential and agricultural structures are visible in the 1934 aerial photograph of the subject property. There appear to be two homes on the subject property, one in the northeast corner (the location of the current building) and one to the west. The residences remain unchanged in the 1936 and 1947 aerial photographs. By 1950, the configuration of the residence on the west side of the subject property appears to have changed.</p>	<p>The 1915, 1916, 1918, 1940, and 1954 topographic maps show structures in the vicinity of the subject property and railroad tracks approximately ¼ mile south of the subject property.</p> <p>In the 1934, 1936, 1947, and 1951 aerial photographs, adjacent properties appear to be cultivated for agricultural use. A residence associated with the agricultural land is located directly north of the subject property. Other residences are located beyond agricultural fields to the east, west, and south.</p>
1960–1995	X	X	X	<p>The topographic maps from 1961 to 1995 show no significant changes to the subject property.</p> <p>The current building is visible in the northeast portion of the subject property in the 1960 aerial photograph. The building remains unchanged in the 1963, 1970, and 1975 aerial photographs. The Conex box is</p>	<p>The topographic maps from 1961 and 1970 show no significant changes to the adjacent properties.</p> <p>A residence adjacent to the west of the subject property can be seen in the 1960 aerial photograph. Residential growth on nearby properties is visible on the 1970 aerial photograph, with the majority of the</p>

Year	Aerial Photograph	Topographic Map	City Directory	Subject Property	Adjacent and Nearby Properties
				<p>visible on the south side of the building in the 1981 aerial photograph. The building remains in the same configuration in the 1990 and 1994 aerial photographs. The residence west of the subject property can be seen in the 1961, 1963, 1970, 1975, 1981, 1990, and 1994 aerial photographs. However, beginning in the 1970 aerial photograph, buildings are visible in only the northern portion of the subject property.</p> <p>The subject property is listed as Setnikers Auto Repair in the 1992 and 1995 city directories.</p>	<p>properties developed for agricultural use. In the 1975 aerial photograph and topographic map, commercial structures are shown on the property immediately south of the subject property. Additional residential development is noted in the vicinity of the subject property.</p> <p>There are no significant city directory listings for this time period.</p>
2000–2014	X	X	X	<p>The topographic maps from 2000 to 2014 show no significant changes to the subject property. Structures are no longer represented on the 2014 topographic map.</p> <p>By the time the 2000 aerial photograph was taken, the residence on the western portion of the subject property had been removed, and the western portion of the subject property appears to be vegetated. In the 2005 aerial photograph, a gravel drive extends from SW Baseline Road to SW 170th Avenue in the northeast portion of the subject property. The subject property remains unchanged in the 2011 and 2014 aerial photographs.</p> <p>The subject property is listed as Setnikers Auto Repair in the 2000, 2005, 2010, and 2014 city directories.</p>	<p>The topographic maps from this period show no significant changes to the adjacent properties. Structures are no longer represented on the 2014 topographic map.</p> <p>Residential development in the vicinity of the subject property has continued to grow. By the time the 2000 aerial photograph was taken, SW Baseline Road had been expanded to its present width. In the 2000 aerial photograph, a large housing development is visible on the northeast side of the intersection of SW Baseline Road and SW 170th Avenue. In the 2005 aerial photograph, large residential developments are visible on properties north and east of the subject property. There are no significant changes to the adjacent properties in the remaining aerial photographs.</p> <p>The city directory lists the adjacent properties as home builders and construction suppliers, barber shops, a travel agency, doctors' offices, and multiple restaurants.</p>

Prior to 1960, the subject property was developed for agricultural and residential use. The current building was established by 1960 and expanded in 1981. City directories indicate that the subject property was operated as an automotive repair shop between 1992 and 2014. Information from other sources (see Sections 5, 6, and 8) indicates that the subject property was operated as a gasoline station from approximately 1960 to 1993.

Surrounding properties have been developed for agricultural, commercial, and residential use since at least 1915. The adjacent property to the south was developed for commercial use between 1970 and 1975. Residential developments largely replaced agricultural fields in the late 1990s.

The historical operation of the subject property as an automotive repair shop and gasoline station is a *recognized environmental condition*. In addition, the subject property previously was developed with residential and agricultural structures; heating oil tanks may have been used at the former structures. This is a potential environmental concern for the subject property.

5.0 USER-PROVIDED INFORMATION

LAI requested that Karen Starin, Senior Paralegal for Metro, provide information based on actual or specialized knowledge of or experience with the subject property that is or could be relevant to recognized environmental conditions. Ms. Starin provided the following information.

User-Provided Information		
	User Response	User Comments
Is the <i>user</i> aware of any environmental cleanup liens against the subject property that are filed or recorded under federal, tribal, state, or local law?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	None shown on title report (provided to LAI).
Is the <i>user</i> aware of any Activity and Use Limitations, such as engineering controls, land use restrictions, or institutional controls, that are in place at the subject property and/or have been filed or recorded in a registry under federal, tribal, state, or local law?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	None shown on title report.
Does the <i>user</i> have any specialized knowledge or experience related to the subject property or nearby properties?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Former gas/service station, so there would have been underground storage tanks (USTs) on site.
Does the purchase price being paid for the subject property reasonably reflect the fair market value of the subject property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Does the <i>user</i> know the past uses of the subject property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Does the <i>user</i> know of specific chemicals that are present or once were present at the subject property?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Does the <i>user</i> know of spills or other chemical releases that have taken place at the subject property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Does the <i>user</i> know of any environmental cleanups that have taken place at the subject property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	No further action (NFA) determination, File No. 34-93-0080 provided to LAI.
Based on the <i>user's</i> knowledge and experience related to the subject property, are there any obvious indicators that point to the presence or likely presence of contamination at the subject property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Past use as gas/service station necessitates further inquiry.

6.0 AGENCY RECORDS REVIEW

LAI reviewed information from publicly available environmental databases. LAI also contacted the State of Oregon Fire Marshal, City of Beaverton (City), Oregon Water Resources Department, and Oregon Department of Environmental Quality (ODEQ) for information regarding potential environmental concerns at the subject property. Information collected during review of agency records is summarized below.

6.1 Environmental Database Report

EDR was subcontracted to search publicly available environmental databases of federal, state, and local agencies (as prescribed by ASTM). A regulatory agency database report was obtained from EDR, and a complete copy is provided in Appendix B.

The search focused on sites with known and potential environmental concerns that may present a threat to human health and the environment. EDR used the location of the subject property to conduct its search and identified listed sites located within a 1-mile radius of the subject property. Sites identified in the EDR report were evaluated using the database assessment criteria included in Appendix B.

Given the nature of contaminant migration, only sites located within ¼ mile and hydraulically upgradient of the subject property, or sites with elevations equal to or higher than the subject property, were assumed to have the potential to environmentally impact the subject property. Groundwater in the vicinity of the subject property is anticipated to flow to the southwest based on surface topography. The nearest water body is Beaverton Creek, located approximately ¾ miles southwest of the subject property.

6.1.1 Subject Property

The subject property was listed in the following environmental databases searched by EDR:

- EDR HIST AUTO – EDR Historic Service Stations.
- FINDS – Facility Index System/Facility Registry System.
- LUST – Leaking Underground Storage Tanks.
- RGA LUST – Recovered Government Archives Leaking Underground Storage Tanks.
- U.S. BROWNFIELDS – United States Brownfields Projects.

Regulatory Database	Facility Name, Address	Direction and Distance from Property (ft)	Potential Environmental Concern (Y/N)	Recognized Environmental Condition (Y/N)
EDR HIST AUTO, FINDS, LUST, RGA	Setnikers Aloha Shell Former Setniker's Aloha Shell	Target Property	Y	Y

Regulatory Database	Facility Name, Address	Direction and Distance from Property (ft)	Potential Environmental Concern (Y/N)	Recognized Environmental Condition (Y/N)
LUST, U.S. BROWNFIELDS	Schlottman Raymond & Charlotte 17030 SW Baseline Road			
<p>The LUST database listing indicates that a release was reported at the subject property, and Facility ID No. 34-93-0080 was assigned in April 1993. The LUST file was closed in November 2007. The UST database listing indicates that four USTs were decommissioned at the subject property. The date is not included in the records.</p> <p>The FINDS database listing indicates that the subject property is regulated by ODEQ. Additional information obtained from ODEQ is presented in Section 6.5.</p> <p>The EDR HIST AUTO database indicates that the subject property operated as a gasoline service station under Schlottman Raymond & Charlotte from 1969 to 1977. From 1978 to 1988, the subject property operated under the name Bounds Bill Service & Repair. Beginning in 1989, the operator is listed as Setniker's Auto Repair.</p> <p>The U.S. Brownfields database indicates that the subject property is a closed ODEQ LUST site. The database indicates that three USTs used by the service station were removed and closed under the Oregon Soil Matrix rules, and two USTs were removed under a pre-1974 exemption. Analysis information for the two tanks removed under the exemption is not available.</p> <p>Additional information regarding the former gasoline station and associated releases is presented in Section 6.5. Based on information from the database report and additional information obtained from ODEQ, the subject property was formerly used an automotive service station, and subsurface contamination could remain at the subject property. This is considered a <i>recognized environmental condition</i> for the subject property.</p>				

6.1.2 Nearby Properties

Nearby properties were listed in the following databases:

- LUST – Leaking Underground Storage Tanks

The following table summarizes the database findings for the nearby properties. The locations of the facilities listed are identified on Figure 2.

Regulatory Database	Facility Name, Address	Direction and Distance from Property (ft)	Potential Environmental Concern (Y/N)	Recognized Environmental Condition (Y/N)
LUST	Willson Property 16880 SW Baseline	Upgradient/cross gradient; 400 to 900 ft east	N	N
<p>The LUST database listing indicates that LUST No. 34-02-0024 was reported in May 2002 and closed in July 2002. No additional information was provided. A copy of the NFA letter was found on ODEQ's website and indicates that the LUST was an exempt gasoline farm tank removed in 1996. Soil contamination was discovered, and 145 tons of contaminated soil were excavated from the property. Confirmation samples were collected, and contaminants of concern were found to be non-detect or below risk-based concentration. Though not encountered at depths of 15 ft bgs, groundwater infiltrated the excavation at 19 ft bgs. The water was tested, and contaminants of concern were found to be below the most stringent risk-based concentrations. The site was subsequently closed (ODEQ 2002). The address maps to a home adjacent to SW 170th Avenue; however, the tank was located at a former farm with buildings 400 to 900 ft east of the subject property, making the tank location cross gradient from the subject property.</p> <p>Given its regulatory status (closed) and cross-gradient location, the Willson Property site is not considered a <i>recognized environmental condition</i> for the subject property.</p>				

Review of the EDR database records for properties adjacent to the subject property revealed no *recognized environmental conditions* for the subject property.

6.2 Fire Marshal

The Oregon Office of State Fire Marshal's Hazardous Substance Incident Searchable Database was searched for hazardous responses made at the subject and adjacent properties. No responses were noted for the subject or adjacent properties (OSP; accessed February 5, 2018).

6.3 City of Beaverton

LAI searched the City website for environmental permits regarding the subject property (City of Beaverton; accessed February 5, 2018). No permits of environmental significance were found.

6.4 Oregon Water Resources Department

LAI searched the Oregon Water Resources Department website for wells located on the subject property. Based on interviews (Section 7), a well was thought to be located on the subject property; however, a well log was not found for the subject property. The nearest well logs are for a cross-gradient site approximately 400 ft west of the subject property and for the Willson Property discussed in Section 6.1.2.

6.5 State Regulatory Agency

LAI reviewed the ODEQ website for information regarding potential heating oil tanks (HOTs) on the subject property and adjacent properties and requested a hard copy of the 1993 LUST file for the subject property (Facility ID No. 34-93-0080). The results of the records review are presented in the following sections.

6.5.1 HOT Records

LAI reviewed the ODEQ website for information on nearby leaking HOTs and decommissioned HOTs. Leaking HOTs are listed in the LUST database, and decommissioned HOTs with no reported releases are listed in a spreadsheet maintained by ODEQ.

There were no listings for leaking HOTs (ODEQ 2018a; accessed February 5, 2018) or decommissioned HOTs (ODEQ 2018b; accessed February 5, 2018) on or adjacent to the subject property (ODEQ 2018a).

6.5.2 LUST Records

The following provides a chronological summary of relevant information from the hard copy LUST file (ODEQ 2018c; accessed January 18, 2018).

1993 UST Removal and Release Reporting:

- Five USTs were removed from two tank pits on the subject property. Two 6,000-gallon gasoline USTs were removed from the west tank pit, located west of the subject property building in front of the shop doors. One 2,000-gallon gasoline tank, one 1,000-gallon unpermitted diesel tank, and one 500-gallon unpermitted diesel tank were removed from the east tank pit, located northeast of the subject property building in what is now SW Baseline Road. The locations of the former tank pits are shown on Figure 3.
- The two unpermitted tanks were considered exempt and are not included in the original tank decommissioning reports.
- A release was reported at the time of UST removal. ODEQ issued an NFA determination for the release on December 16, 1993 based on soil confirmation samples collected from the east tank pit (samples E-1 and E-2) and west tank pit (samples W-3, W-4, and W-5). In sample E-1, diesel-range organics (DRO) were not detected and gasoline-range organics (GRO) were detected at a concentration of 69 parts per million (ppm). DRO and GRO were not detected in samples E-2, W-3, W-4, and W-5.

1995 Discovery of Petroleum-Contaminated Soil in SW Baseline Road Right-of-Way (ROW):

- Petroleum-contaminated soils were encountered by TriMet while completing work in the SW Baseline Road ROW, which is in proximity to the former east tank pit. Approximately 100 cubic yards of soil were excavated and disposed of off site. Four soil samples were collected, two from the removed soil (samples 001 and 002) and two from the bottom of the excavation (samples 003 and 004). DRO was detected at 2,700 ppm, and GRO at 91 ppm in sample 002. GRO was detected at 14 ppm in sample 004. GRO and DRO were not detected in the other samples.
- The excavation was expanded, and an additional 22 tons of soil were excavated and disposed of off site. One confirmation sample (sample 005) was collected, and GRO and DRO were not detected in the sample.

1996 ODEQ Re-Opens Site:

- ODEQ re-opened the site on August 1, 1996 based on information received from TriMet. In addition to the contamination in the vicinity of the former east tank pit, ODEQ indicated that TriMet had encountered contaminated soils north of the west tank pit, in the SW Baseline Road ROW.
- The UST decommissioning subcontractor provided a formal letter to ODEQ, indicating all permitted and non-permitted USTs were removed from the subject property, and piping encountered in the ROW was associated with the two unpermitted tanks and, therefore, exempt from removal.

1997 to 2002 Agency Correspondence:

- The property owner and ODEQ exchanged correspondence regarding the responsible party for the ROW contamination. ODEQ determined that while TriMet had the ROW, it did not own the subsurface, and the contamination was the responsibility of the property owner.
- ODEQ requested collection of additional data to further characterize the subject property. ODEQ was informed that the property owner could not pay for additional work.

- In 2002, ODEQ informed the property owner of a change in evaluation criteria for petroleum-contaminated sites. The letter indicated the property owner could request the site be reviewed with the new criteria.

2007 No Further Action Determination

- ODEQ issued an NFA for the subject property following an internal review of the project file. No additional data were provided to ODEQ.

Based on information obtained from ODEQ's files, samples representing soil remaining on the subject property were analyzed, and detections were below the applicable risk-based concentrations. The LUST file for the site has been closed. However, LAI notes the following:

- Groundwater samples were not collected at the subject property. Collection and analysis would help determine if contamination had reached groundwater and migrated beyond the former tank pits.
- No soil samples were collected from the west tank pit fill material, and the source of the fill was not provided.
- Soil contamination was encountered during utility work north of the west tank pit, in the SW Baseline Road ROW, but no samples were obtained from the subject property.
- Product lines associated with former USTs may remain on the subject property, and no sampling has been completed along the product lines.

Based on information obtained from ODEQ, subsurface contamination could remain at the subject property, given its former use as an automotive service station. This is considered a *recognized environmental condition* for the subject property.

7.0 INTERVIEWS

On January 31, 2018, Mrs. Kari Setniker, daughter-in-law of the current property owner, completed an onsite interview for the subject property. Mrs. Setniker provided the following information regarding the subject property.

Mrs. Setniker indicated the station building was present prior to her father-in-law, Mr. Setniker's, purchase of the subject property. She indicated that, in 1996, Mr. Setniker took out a loan against the property to finance improvements that would increase its salability. The former pump island was located immediately north of the existing office doors in the current footprint of SW Baseline Road. She indicated that when SW Baseline Road was widened, her father-in-law was forced to close the fueling business, and all tanks were removed at that time. She indicated the tanks were located northeast of the office doors, also within the current footprint SW Baseline Road.

- Mrs. Setniker indicated that after the fueling business closed, her father-in-law used the shop to store various items associated with the station and other items he collected over the years.
- Mrs. Setniker indicated that the subject property was used as a fueling station prior to being purchased by her father-in-law and continued to be used as a fueling station until the expansion of SW Baseline Road. Mrs. Setniker indicated that the shop continued to operate as an automotive repair shop following closure of the fuel pumps.
- Mrs. Setniker is not aware of asbestos-containing materials or lead paint at the subject property.
- Mrs. Setniker indicated that the west portion of the subject property had been used as a horse pasture prior to construction of the fueling station.
- Mrs. Setniker is unaware of any oil/water separators at the subject property.
- Mrs. Setniker indicated that the subject property is served by sanitary sewer and municipal water. She is not aware of the existence of a septic tank on the subject property.
- After speaking to her husband, Mrs. Setniker indicated that he thought a well was present at the subject property in the vicinity of the gravel pile southwest of the station building (Section 8). A follow-up email from Mrs. Setniker indicated that the well may be located on the northeast side of the subject property and can be identified by the concrete slab that surrounds it (Setniker 2018).
- Mrs. Setniker indicated the auto repair business closed in the late 1990s or early 2000s.
- In a follow-up email, Mrs. Setniker indicated that the aboveground storage tank (AST) on the subject property was used for collection of waste oil associated with oil-changing activities. The tank was emptied by a third-party vendor when full (Setniker 2018).
- In a follow-up email, LAI inquired about a feature of the subject property that appeared to be a chimney. Mrs. Setniker indicated the property owner does not know what it was used for and that it had never been used by the subject property owner (Setniker 2018). The chimney was buried by debris inside the building and only visible from outside the building.

As indicated previously, the former operation of a fueling station on the subject property is considered a *recognized environmental condition* for the subject property.

8.0 SITE RECONNAISSANCE

Della Fawcett of LAI conducted a reconnaissance of the subject and adjacent properties on January 31, 2018 to assess current land-use activities and environmental conditions. Observations made during the reconnaissance are discussed below, and selected site photographs are provided in Appendix A. The objective of the site reconnaissance was to obtain information regarding potential *recognized environmental conditions* in connection with the subject property.

8.1 Subject Property

LAI used the following methodology to observe the subject property:

- Transected the subject property on foot.
- Made visual observation of building interiors.
- Walked the perimeter/boundaries of the subject property and made visual observations.
- Drove through the surrounding neighborhood and made visual observations.

8.1.1 General Environmental Conditions

A 1,525-sq-ft building is located in the northeast portion of the subject property and was previously operated as a gasoline station and automotive repair shop. Commercial operations have ceased, and the building is now used for storage. The building includes an office area and vehicle maintenance shop. A small Conex box used for storage is attached to the southeast side of the maintenance shop.

A gravel drive connecting SW Baseline Road and SW 170th Avenue cuts across the subject property at a diagonal. The remaining portions of the subject property are vegetated with grass that shows evidence of being mowed regularly.

Observations made during the site reconnaissance are summarized in the following table.

Issue	Comments
Hazardous materials or petroleum products:	Multiple containers of motor oil, lubricants, petroleum products, and waste products were observed in the building (Appendix A, Photos 1 and 2).
Hazardous waste:	Drums of waste oil/lubricants and solvent waste were present in the interior of the building (Photo 3).
Solid waste:	The interior of the building was covered with old material, glass, broken items, and trash (Photo 4). Multiple piles of garbage were noted along the boundaries of the subject property.
Wells:	None observed. A 6-inch polyvinyl chloride pipe was noted on the east side of the subject property, but did not appear to be associated with a well (Photo 5). Mrs. Setniker indicated that a well is located on the subject property; however, the location of the well was not verified at the time of the site reconnaissance.
Wastewater:	None observed.

Issue	Comments
Drains, sumps, and drywells:	None observed.
Evidence of dumping or fill materials:	A small pile of gravel and dirt was observed southwest of the subject property building (Photo 6).
Odors:	The subject property building smelled of motor oil.
Stains and/or corrosion:	The floor of the subject property building was not completely visible, but oil stains could be seen on the uncovered cement. Stains were not noted outside the building (Photo 7).
Pools of liquid:	None observed.
PCB-containing equipment:	None observed.
Stormwater:	One downspout was observed on the southeast side of the building and discharged into the ground (Photo 8). Stormwater in the undeveloped portions of the subject property likely infiltrates.
Pits, ponds, or lagoons:	None observed.
Stained soil or pavement:	None observed.
Stressed vegetation:	None observed.
General housekeeping/yardkeeping:	The subject property was not well maintained. Chemicals and petroleum products that appear to be associated with the former automotive repair shop remain in the building alongside other debris. Multiple piles of dumped garbage were observed along the borders of the subject property (Photo 9). No evidence of hazardous materials was observed in the debris outside the building.

8.1.2 Storage Tanks/Structures

Evidence of former USTs was noted on the south side of the building. Two vent pipes were observed next to an AST. The pipes did not appear to be connected to the AST, but used for venting of the USTs (Photo 10). The empty AST remaining on the south side of the subject property building had a capacity of approximately 50 gallons. The AST appeared to connect to the interior of the subject property building via a disconnected metal pipe (Photo 11). The AST smelled of gasoline, and the interior pipe appears to have been used to dispose of waste oil inside the subject property building. The AST did not appear to be damaged, and no evidence of a release was noted. The AST did not appear to be equipped with secondary containment and is considered a potential environmental concern.

Historically, the western portion of the subject property was developed with residential and agricultural structures. HOTs may have been associated with the former structures. This is a potential environmental concern for the subject property. Evidence of USTs was not observed in the western portion of the subject property, and there are no records of USTs associated with the former structures.

8.1.3 *De Minimis* Conditions

ASTM defines *de minimis* conditions as those that “generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies” (i.e., minor soil staining). No *de minimis* conditions were noted at the subject property.

8.2 Surrounding Area

LAI observed adjacent properties from the subject property or from public ROWs. The following was observed adjacent to the subject property.

- North: The subject property is bordered to the north by SW Baseline Road. Residential apartments with street-level retail are located beyond SW Baseline Road (Photo 12).
- South: The subject property is bordered to the south by a property for lease. The property includes a vacant, single-story building and parking lot bordering the subject property. A distribution center is located south of the west side of the subject property. A day school and residential homes are located further south of the subject property.
- East: The subject property is bordered to the east by SW 170th Avenue. A residential neighborhood is located east of SW 170th Avenue.
- West: A single-family home and associated property is located west of the subject property. Additional residential homes and some limited commercial properties are located further west of the subject property.

No *recognized environmental conditions* or potential environmental concerns were identified for the subject property based on LAI’s observations of adjacent properties.

9.0 FINDINGS AND CONCLUSIONS

LAI has conducted a Phase I ESA for the subject property in conformance with the scope and limitations of ASTM standard E1527-13. The 1.07-acre subject property is located at the southwest corner of the intersection of SW Baseline Road and SW 170th Avenue in Beaverton, Oregon. The northeastern portion of the subject property is developed with a commercial building that was previously operated as a gasoline station and automotive repair shop; the businesses are no longer in operation. The western portion of the subject property is undeveloped. Prior to development of the current structures, the subject property was developed with residential and agricultural buildings.

This assessment revealed the following *recognized environmental condition* in connection with the subject property.

- A release was reported at the subject property in 1993 when five USTs associated with the former gasoline station were removed. ODEQ issued a no further action determination for the release; however, based on review of ODEQ files, contamination from the former gasoline fueling station and automotive repair activities could remain at the subject property. Based on the information obtained from the ODEQ files, groundwater samples were never collected to determine if contamination had reached groundwater and migrated. Additionally, no soil samples were collected from the west tank pit fill material, and the source of fill was not documented. Petroleum-contaminated soil was encountered north of the west tank pit, in the SW Baseline Road ROW, but no sampling was completed on the subject property to evaluate the extent of the contamination. In addition, product lines associated with former USTs could remain on the subject property, and no sampling has been completed along the product lines.

This assessment has not revealed any *historical recognized environmental conditions or controlled recognized environmental conditions* in connection with the subject property.

The following potential environmental concerns were identified:

- One empty AST was located on the south side of the subject property building. The AST is in fair condition and shows no evidence of releases. The AST does not appear to be equipped with secondary containment.
- Historically, the western portion of the subject property was developed with residential and agricultural structures. HOTs may have been associated with the former structures. This is a potential environmental concern for the subject property. Evidence of USTs was not observed in the western portion of the subject property, and there are no records of USTs associated with the former structures.

Other findings of this assessment include:

- The subject property is situated at an elevation of approximately 215 ft above mean sea level and is located in an area that slopes gently to the southwest in the direction of Beaverton Creek, located approximately $\frac{3}{4}$ of a mile southwest of the subject property.
- The subject property is underlain by silty sand. Groundwater is anticipated to be present at approximately 10 to 13 ft bgs with flow to the southwest, based on surface topography.

- Two vent pipes, evidence of USTs, were identified on the subject property and appear to be associated with former USTs that have been removed from the subject property. No evidence of remaining USTs was observed.
- During the site reconnaissance, Mrs. Setniker indicated a well was located to the southwest of the subject property building. The southwest portion of the subject property was searched during the site reconnaissance, and a well was not found. A follow-up email from Mrs. Setniker indicated that the well was located on the northeast side of the subject property and was demarcated by a concrete slab that surrounded it. The location of the well was not verified during the site reconnaissance. A review of the Oregon Water Resources Department database did not indicate the presence of a well on the subject property.
- Multiple chemicals and petroleum product containers were observed inside the subject property building.
- No evidence of stressed vegetation, significant soil staining, or other contamination was observed on or around the subject property.
- Stormwater is collected into building gutters and discharged via downspouts to infiltrate into the ground surface. Stormwater in the undeveloped portion of the subject property infiltrates into the ground surface.
- *De minimis* conditions were not observed.

9.1 Data Gaps

No data gaps were identified during our assessment.

10.0 OPINION

Our Phase I ESA found evidence of one *recognized environmental condition* for the subject property based on its historical use as a gasoline fueling station. Investigation and cleanup of residual contamination associated with the former fueling station are not outlined in the available reporting information.

As discussed with Metro, a Phase II investigation is currently underway to determine the extent of environmental impacts at the subject property.

Historically, the subject property was developed with residential and agricultural structures. While there is no specific evidence of HOTs associated with the former structures, procedures should be in place to address USTs and associated contaminated media encountered during construction.

11.0 USE OF THIS REPORT

This report was prepared for the exclusive use of the Office of Metro Attorney and its legal representatives (authorized users) for specific application to the subject property. It is intended to provide the authorized users with an understanding of the potential environmental liabilities associated with the property evaluated in this report. Reliance on this report by third parties or others who do not have a contractual relationship with LAI on this project is at the sole risk of the third parties or others.

This report is based on observations and information obtained during one visit to the subject property and on the condition of the property on that day, supplemented with information obtained by Landau Associates, Inc. (LAI) and described herein. In evaluating the site, LAI has relied in good faith on representations and information abstracted from sources noted in this report to the extent that they have not been contradicted by observations during the property reconnaissance or data obtained from other sources. Accordingly, LAI accepts no responsibility for any deficiency, misstatements, omissions, or misrepresentations in the information provided to us.

Determining whether environmental conditions defined in this report indicate the presence of contamination at levels of concern is a matter of judgment. Liabilities associated with contaminated sites are defined in part by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The findings and conclusions of this report are based on our evaluation of information obtained and reviewed for this project and reflect our professional judgment with respect to that information.

LAI has performed the services and made the findings in accordance with generally accepted practices for Phase I environmental site assessments (ESAs) in effect in Oregon at the time the services were performed. The scope of services for this Phase I ESA was defined in our proposal, and unless specifically included in our scope of services and in this report, this Phase I ESA did not include services related to asbestos, radon, lead paint, lead in drinking water, wetlands, or indoor air quality issues (including the potential presence of mold or other biological contaminants).

This warranty stands in lieu of all other warranties, express or implied. While this report can be used as a guide, it is neither a rejection nor an endorsement of the property. It must also be understood that changing circumstances in the environment and use of the property can alter the conclusions and findings contained in this report.

11.1 Environmental Professional Statement

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 Code of Federal Regulations (CFR) 312, and we have the specific qualifications based on education, training, and experience to assess a property with the nature, history, and setting of the subject property. We have developed and performed all

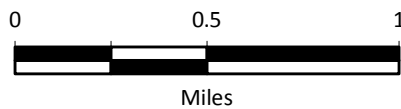
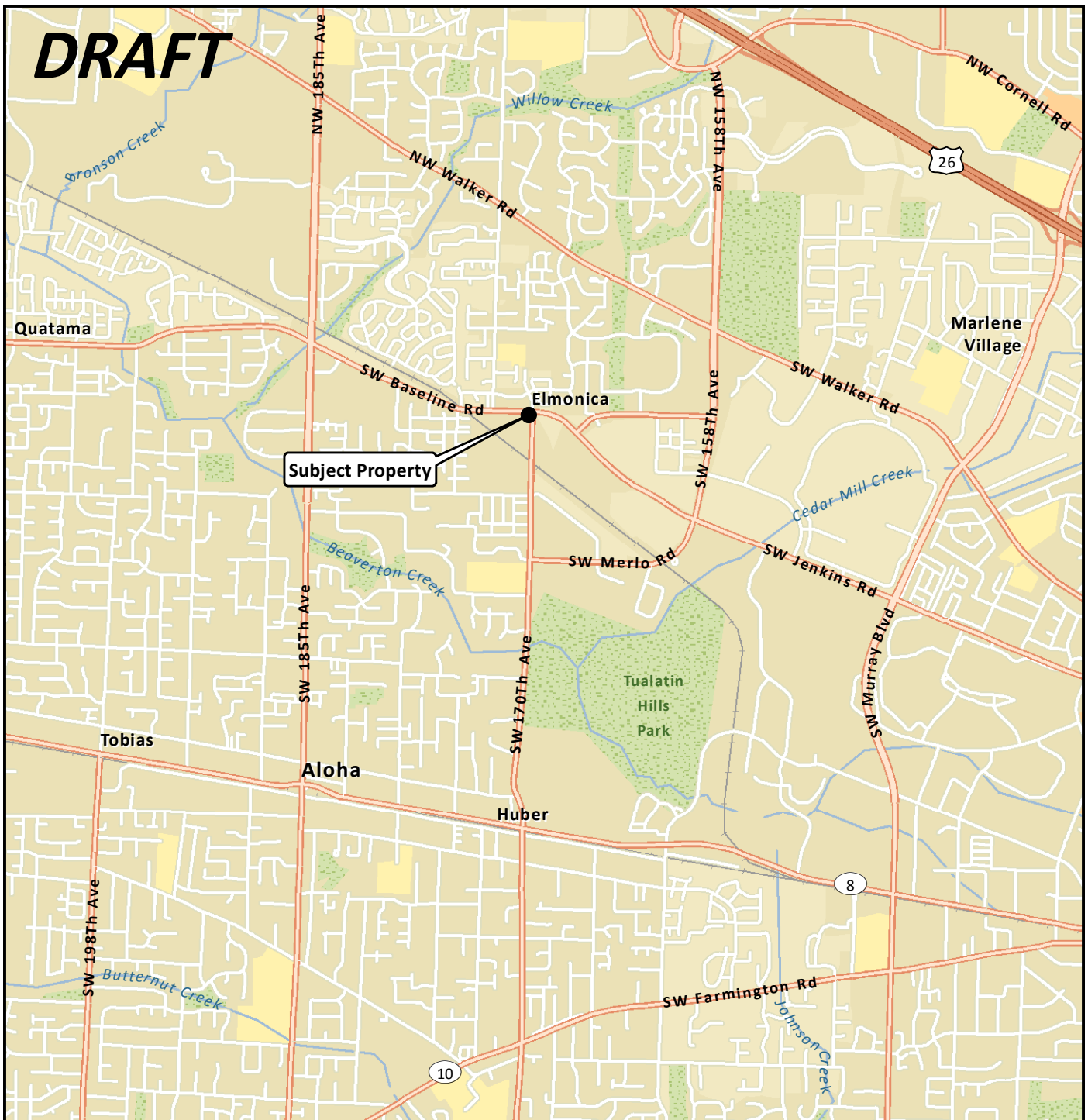
appropriate inquires in conformance with the standards and practices set forth in 40 CFR 312 and ASTM International standard E1527-13.

Qualifications of the environmental professionals responsible for the site reconnaissance and generation of this report are provided in Appendix F.

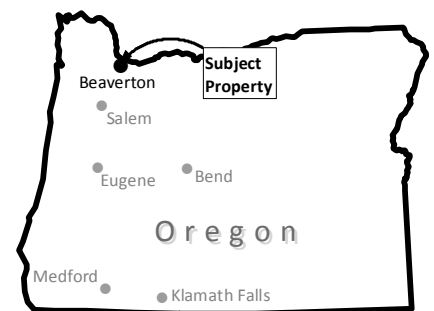
12.0 REFERENCES

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DRAFT



Data Source: Esri 2012



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LANDAU
ASSOCIATES

Metro Elmonica
Opportunity Site
Beaverton, Oregon

Vicinity Map

Figure
1



Legend

 Subject Property

Note

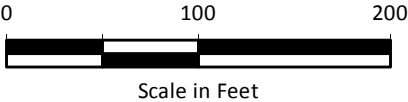
1. Black and white reproduction of this color original may reduce its effectiveness and lead to incorrect interpretation.

Data Source: Esri World Imagery

Metro Elmonica
Phase II ESA
Beaverton, Oregon

Subject and Adjacent Properties

Figure
2





Legend

- Subject Property
- Approximate Tank Locations

Note

1. Black and white reproduction of this color original may reduce its effectiveness and lead to incorrect interpretation.

Data Source: Esri World Imagery



Selected Site Photographs



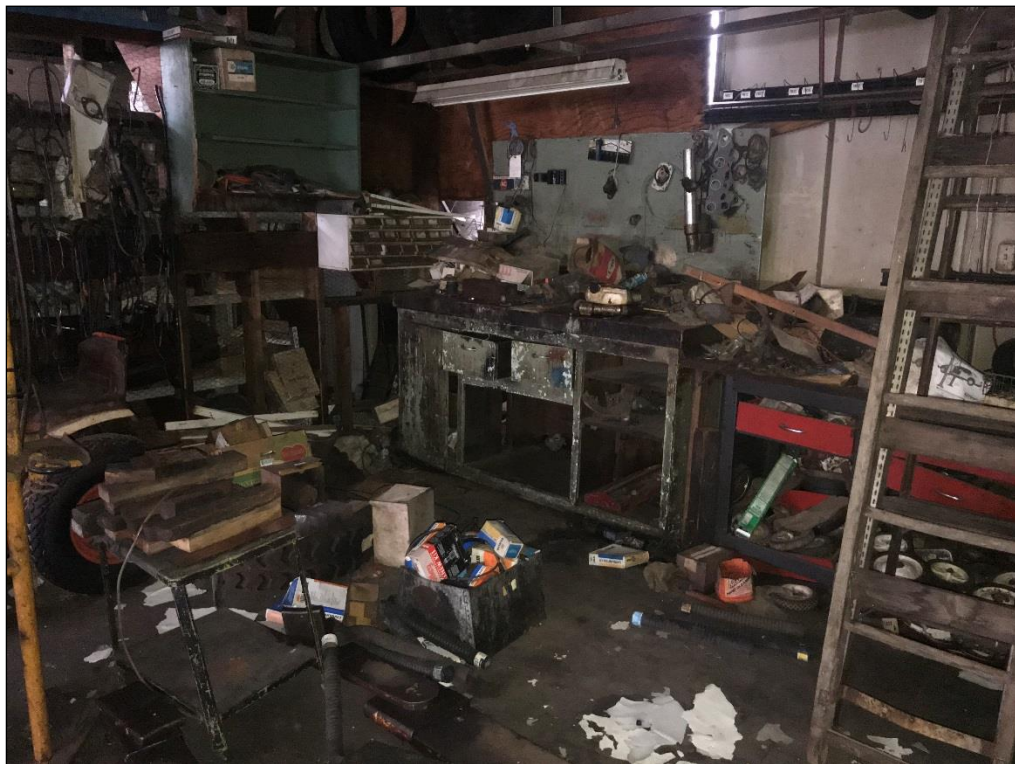
1. Interior of office, looking east.



2. Interior of shop, looking east.



3. Interior of shop, looking north.



4. Interior of shop, looking southeast.



5. Looking northeast from northwest corner of subject property.



6. Gravel pile on southwest corner of subject property.



7. View of building floor.



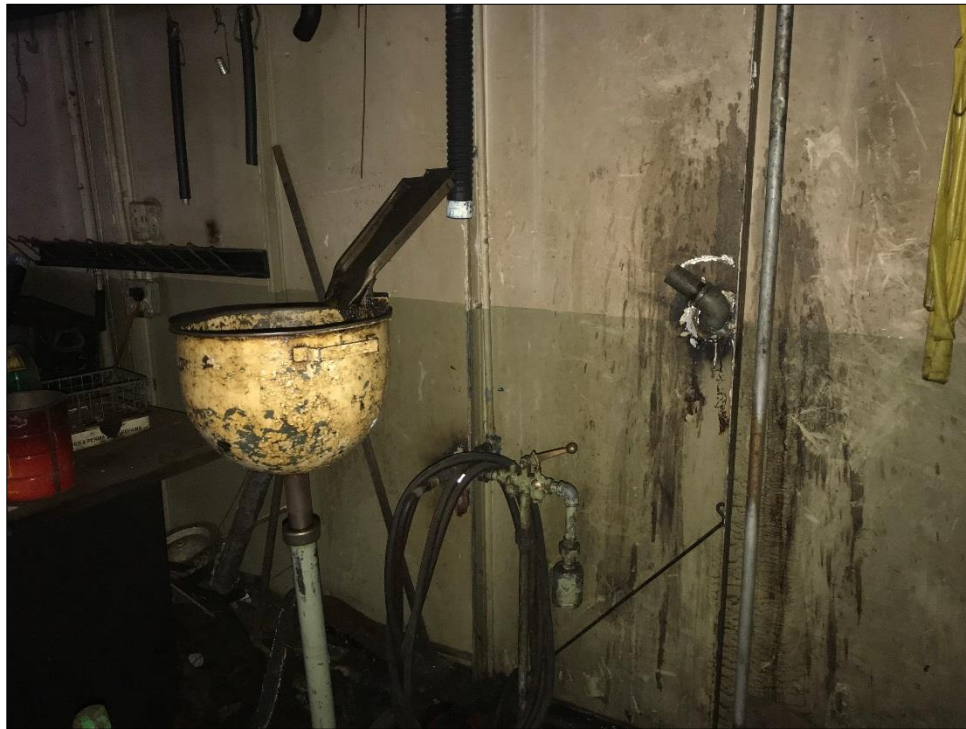
8. Looking northwest at the downspout.



9. View of garbage on southeast fence line.



10. Looking north at the aboveground storage tank (AST).



11. Looking southeast at the interior pipe for the AST.



12. Looking north-northeast and adjacent apartments and retail.