

# Portland Harbor Natural Resource Damage Assessment Phase 2: Allocation Summary Memo for BNSF Railway Company

## 1.0 INTRODUCTION

BNSF Railway Company (BNSF), an owner and operator of sites in Portland Harbor, has engaged in activities resulting in releases of substances of concern. As part of the Portland Harbor natural resource damage assessment (NRDA) Phase 2 process, and for settlement purposes only, the Trustee Council developed a party-specific allocation of natural resource damages liability for 18 sites with which BNSF is associated: 130, 192, 197, 316G, 316H, 316I, 318G, 333I, 335I, 623H, 623I, 624I, 625I, 626I, 627I, 628F, 637, and 638.<sup>1</sup> That liability is determined in units of discounted service acre-years (DSAYs). Based on the information gathered throughout the Phase 2 process, methods described in the Trustee Council's allocation methodology report, and data and assumptions described below, BNSF's liability is calculated to be 1.16 DSAYs.

This memorandum summarizes the information the Trustee Council utilized to develop the allocation, and is organized as follows:

- ❖ Section 2 provides background information.
- ❖ Section 3 describes general operations at BNSF's sites.
- ❖ Section 4 outlines BNSF's activities at their sites.
- ❖ Section 5 is a list of references.

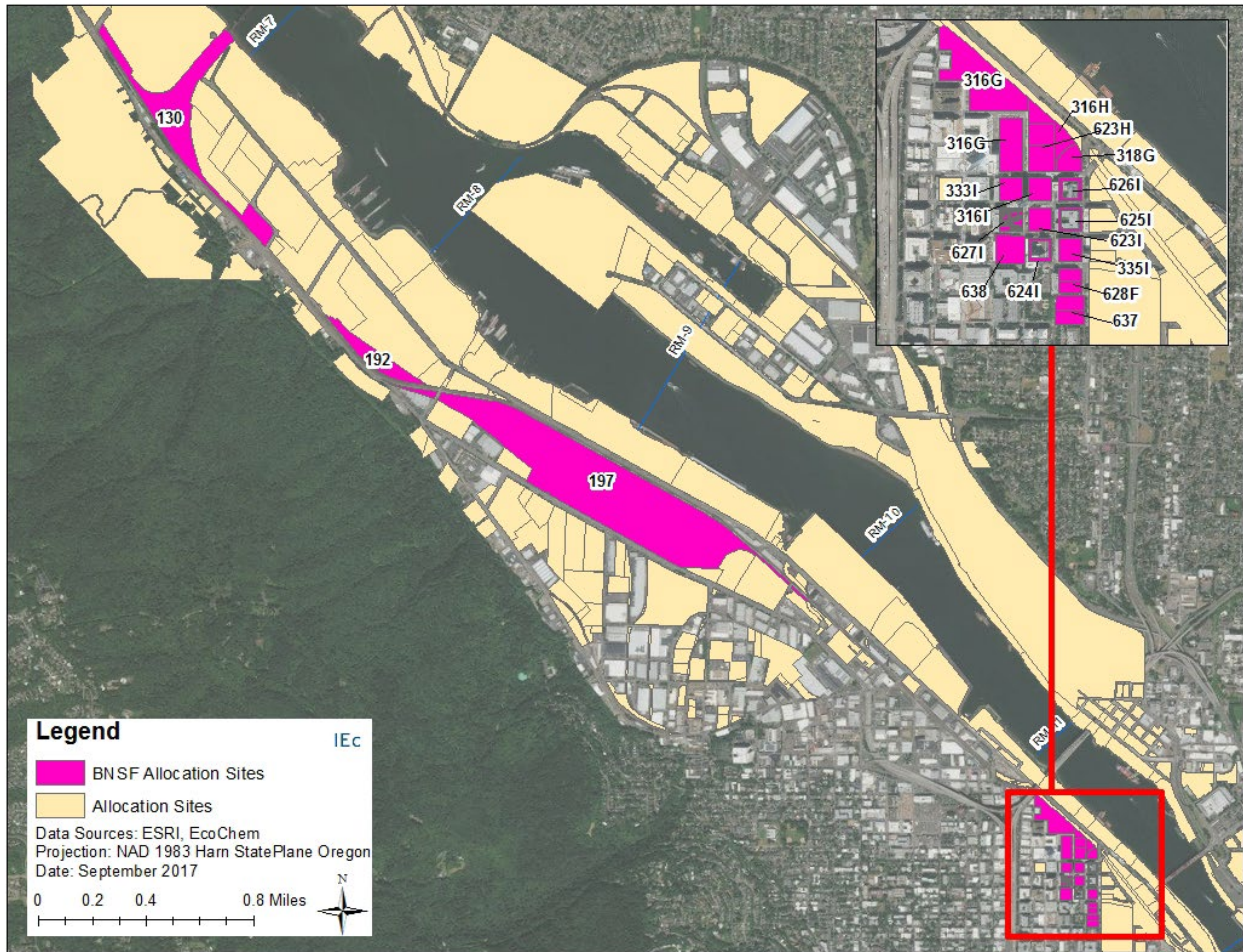
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<sup>1</sup> The allocation presented in this memorandum is limited to an allocation of natural resource damages liability by the Trustee Council and does not inform or have any application relative to other environmental liabilities associated with the Portland Harbor Superfund Site, including but not limited to remedial liability. The use of "allocation" or "liability" in this memorandum refers only to the Trustee Council's settlement-oriented allocation of natural resource damages liability.

## 2.0 OVERVIEW OF BNSF SITES

Exhibit 2-1 is a map of the BNSF sites included in their party-specific allocation, and Exhibit 2-2 outlines background information for each of these sites. The relevant tax lot parcels are described in Appendix A of the Consent Decree associated with the settlement of natural resource damages for these parcels.

### EXHIBIT 2-1 MAP OF BNSF SITES



**EXHIBIT 2-2 BNSF SITE BACKGROUND INFORMATION**

<b>SITE ID</b>	<b>ADDRESS<sup>1</sup></b>	<b>CURRENT OWNER</b>	<b>BNSF DATES OF OWNERSHIP</b>	<b>BNSF DATES OF OPERATION</b>	<b>SITE ACREAGE</b>
130	6330-6346 NW St Helens Rd	BNSF Railway Co.	1908 – Present	1908 – Present	49.6
192	5814 NW Doane Ave	BNSF Railway Co.	1940 – Present	1940 – Present	11.8
197	3930 NW Yeon Ave	Portland Terminal Railroad Co. (BNSF has 25% undivided interest in Guild’s Lake Yard)	1985 – Present	1985 – Present	146 acres (70 acres leased to BNSF)
316G	NW 9th Ave	Hoyt Street Properties LLC	1911 – 1988	1911 – 1998	5.2
316H	NW Overton & NW 11th Ave	Hoyt Street Properties LLC	1911 – 1988	1911 – 1998	1.4
316I	NW 9th Ave	Hoyt Street Properties LLC	1911 – 1988	1911 – 1998	0.9
318G	NW 9th Ave	Block 19 LLC	1911 – 1988	1911 – 1998	0.9
333I	NW 9th Ave	Block 14 Limited Partnership	1911 – 1988	1911 – 1998	0.9
335I	NW 9th Ave	Lovejoy Station Limited Partnership	1911 – 1988	1911 – 1998	0.9
623H	NW 9th Ave	City of Portland-Hoyt	1911 – 1988	1911 – 1998	2.1
623I	NW 9th Ave	City of Portland-Hoyt	1911 – 1988	1911 – 1998	0.9
624I	NW 9th Ave	Metropolitan Condominiums	1911 – 1988	1911 – 1998	0.9
625I	NW 9th Ave	Lexis Condominiums	1911 – 1988	1911 – 1998	0.9

<b>SITE ID</b>	<b>ADDRESS<sup>1</sup></b>	<b>CURRENT OWNER</b>	<b>BNSF DATES OF OWNERSHIP</b>	<b>BNSF DATES OF OPERATION</b>	<b>SITE ACREAGE</b>
626I	NW 9th Ave	Pinnacle Condominiums	1911 – 1988	1911 – 1998	0.9
627I	NW 9th Ave	Bridgeport Condominiums	1911 – 1988	1911 – 1998	0.9
628F	900 NW Lovejoy St	The Pearl LLC	1911 – 1988	1911 – 1998	0.9
637	920 NW Kearney St	Pearl Court Block	1911 – 1988	--	0.94
638	1020 NW 12 <sup>th</sup> Avenue	Streetcar Lofts Condominiums	1911 – 1988	1911 – 1998	0.98

Note.

1. All addresses located in Portland, Oregon.

### **3.0 BNSF OWNERSHIP AND OPERATIONS**

The following section briefly describes BNSF's ownership of and operations at the sites listed in Exhibit 2-2.

#### **Site 130 (BNSF Railway Co. Wye Parcel)**

BNSF has been the owner and operator of this property since it was built in 1908. The property is 49.6 acres, covered by 3 acres of tracks, and is adjacent to the Willamette River. The only operation at the Wye Parcel is train transport. BNSF has transported freight and passenger trains across the railroad bridge over the Willamette River since it was developed.

#### **Site 192 (BNSF Railway Co. Willbridge Switch Yard)**

BNSF has performed rail car switching at this property since the early 1940s, and there has been no change in ownership over the years. Switching involves moving rail cars from one train to another train on different tracks or changing the order of cars in a train on the same track. The property is 11.8 acres and is 2,000 feet from the Willamette River. Stormwater infiltrates soil at the property, and the City of Portland terminated the NPDES permit due to lack of runoff.

#### **Site 197 (Portland Terminal Railroad Co. Guild's Lake Yard-Portland Intermodal Hub)**

Site 197 is known as Guild's Lake Yard. It has been owned by the Portland Terminal Railroad Company (PTRR) since approximately 1921. Beginning in 1985, PTRR leased about 70 acres of the 146 acre property to BNSF for the Portland Intermodal Hub. BNSF's intermodal freight handling involves moving containers and truck trailers on and off rail flatcars. BNSF owns an undivided 25% interest in the Guild's Lake Yard. The property is 1,000 feet from the Willamette River.

#### **Sites 316G, 316H, 316I, 318G, 333I, 335I, 623H, 623I, 624I, 625I, 626I, 627I, 628F, 637, and 638 (Former Hoyt Street Railyard)**

Historically, BNSF owned, leased, and operated a locomotive fueling and railroad maintenance yard at these properties from 1911 until 1988. In 1988, the properties were sold for redevelopment and BNSF continued operations until 1998. BNSF leased Site 637 to Columbia Steel for foundry operations. The properties are 450 feet from the Willamette River. These properties are now part of the Pearl District's mixed residential and commercial development, including the City of Portland's Tanner Springs Park and The Fields Neighborhood Park.

#### 4.0 BNSF ACTIVITIES

Exhibit 4-1 identifies, for each of BNSF’s properties in Appendix A of the Consent Decree, the activities that had the potential to result in the release of one or more of the substances of concern included in the Trustee Council’s evaluation of natural resource damages. These types of activities are further described in the Trustee Council’s allocation methodology report.

##### EXHIBIT 4-1 BNSF-RELATED ACTIVITIES

<b>BNSF Activities - Site 130</b>
Creosote treated railroad ties
Landfill of dredged Willamette sediment prior to 1980
<b>BNSF Activities - Site 192</b>
Extensive vehicle operations-railyard
Creosote treated railroad ties
Fueling operations
Petroleum leaks/spills
Fuel oil use
<b>BNSF Activities - Site 197</b>
Extensive vehicle operations-railyard
Creosote treated railroad ties
Fueling operations
Unprotected storage of petroleum contaminated soil
Unprotected storage of paint waste
<b>BNSF Activities - Site 316G</b>
Extensive vehicle operations-railyard
Creosote treated railroad ties
Fueling operations
Petroleum leaks/spills
Aboveground storage tank (AST) - other petroleum/unknown petroleum
Underground storage tank (UST) - Bunker C Fuel
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
Unprotected storage of lead acid batteries
<b>BNSF Activities - Site 316H</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Fueling operations
Petroleum leaks/spills
AST other petroleum/unknown petroleum

<b>BNSF Activities - Site 316H (continued)</b>
UST other petroleum/unknown petroleum
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 316I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 318G</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Fueling operations
Petroleum leaks/spills
AST other petroleum/unknown petroleum
UST bunker C
UST diesel
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
Unprotected storage of lead acid batteries
<b>BNSF Activities - Site 333I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 335I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 623H</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Fueling operations
Petroleum leaks/spills
AST other petroleum/unknown petroleum
UST bunker C
UST diesel
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris

<b>BNSF Activities - Site 623I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 624I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 625I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 626I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 627I</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 628F</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Fueling operations
AST other petroleum/unknown petroleum
UST bunker C
UST diesel
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
<b>BNSF Activities - Site 637</b>
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris
Steel Manufacturing
UST other petroleum/unknown petroleum



<b>BNSF Activities - Site 638</b>
Extensive vehicle operations: railyard
Creosote treated railroad ties
Landfill of dredged Willamette sediments prior to 1980
Landfill of construction and demolition debris

## 5.0 REFERENCES

Lower Willamette Group. 2009. Portland Harbor Draft Remedial Investigation Report. Prepared by Integral Consulting, Inc., Windward Environmental LLC, Kennedy/Jenks Consultants, and Anchor QEA, LLC.

Oregon Department of Environmental Quality. 2013. Environmental Cleanup Site Information Database. <https://www.deq.state.or.us/lq/ECSI/ecsiquery.asp?listtype=lis&listtitle=Environmental+Cleanup+Site%20Information+Database>

Portland Harbor Natural Resource Trustee Council. 2022. Portland Harbor Natural Resource Damage Assessment: Allocation Methodology Report. Prepared by Industrial Economics, Incorporated.

The Trustee Council also reviewed 10 additional documents submitted by Phase 2 parties that are settlement confidential and therefore not identified.