

# Development Services

## From Concept to Construction

Phone: 503-823-7300 Email: [bds@portlandoregon.gov](mailto:bds@portlandoregon.gov) 1900 SW 4th Ave, Portland, OR 97201

More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



### APPEAL SUMMARY

**Status:** Decision Rendered

**Appeal ID:** 16149

**Project Address:** 7540 NW St Helens Rd

**Hearing Date:** 11/22/17

**Appellant Name:** Linda Paul

**Case No.:** B-001

**Appellant Phone:** 412-227-2434

**Appeal Type:** Building

**Plans Examiner/Inspector:** Jeff Duquette, Doug Morgan, Jason Butler-Brown

**Project Type:** commercial

**Stories:** 1 **Occupancy:** Industrial **Construction Type:** Steel, wood, block, concrete

**Building/Business Name:**

**Fire Sprinklers:** No

**Appeal Involves:** other: Demolition

**LUR or Permit Application No.:** 16-207420-CO

**Plan Submitted Option:** pdf [File 1] [File 2]

**Proposed use:** demolition

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** 24.55.150 A.

#### Requires

A. Demolition. Demolition means removal of the entire superstructure down to the subflooring, such that none of the existing superstructure is maintained. Demolition includes removal of all exterior walls. It also includes alteration, abandonment or removal of all of the existing perimeter foundation.

#### Proposed Design

The proposed design applies to the following building permits for the project (including the permit # on page 1 above as a project reference): 16-207420-CO, 16-207430-CO, 17-107177-CO, 17-107184-CO, 17-107196-CO, 17-107200-CO, 17-107202-CO, 17-107205-CO, 17-107210-CO, 17-107212-CO.

During demolition of buildings at parcel 1N1W13-01300-A2, Koppers will remove existing structures to grade (see attached Facility Detail Plan with building locations and associated demolition permit numbers) but proposes to leave existing foundations in place for certain structures and to remove slab-on grade materials for other structures (see attached Table 1 with action proposed by building/permit number). Once demolition is complete, areas where floor slabs are removed will be filled and graded as necessary to match the existing site grade. No basements are present and therefore no open area that could represent a safety hazard will be present. As appropriate, NW Natural (owner) will manage subsurface foundation materials that remain consistent with the remedial alternative selected by the Oregon Department of Environmental Quality (DEQ) for the property, as described below.

**Reason for alternative** The proposed demolition project is located on leased property that is located within a larger property tract owned by NW Natural. NW Natural is currently evaluating site cleanup alternatives

at the Gasco Site (inclusive of the Koppers Leasehold) per the requirements of the Voluntary Agreement with the Oregon DEQ [Amendment No. WMCVM-NWR-94-13, dated August 8, 1994, first amended July 19, 2006, with second amendment dated October 11, 2016]. Remedial Investigation (RI) and Risk Assessment (RA) activities have been completed and approved by DEQ for the NW Natural property as a whole - inclusive of the Koppers Leasehold. NW Natural is presently completing feasibility study data gap investigations and is preparing a Feasibility Study (FS) to identify a remedial alternative that, when implemented, will satisfy the requirements of Oregon's Hazardous Substance Remedial Action Rules [Oregon Administrative Rules (OAR) 340-122]. All investigation, risk assessment, feasibility study, and cleanup work at the site is reviewed, approved, and monitored by DEQ. The property is listed as Site ID 84 (Gasco Site) under the DEQ Environmental Cleanup Site Information (ECSI) database - where more detailed information is available.

Koppers' stormwater activities at the leasehold are currently addressed through an Industrial Wastewater Discharge permit issued to Koppers and managed by the City of Portland's Bureau of Environmental Services (BES). Stormwater management for the Koppers Leasehold will transition to NW Natural upon Koppers' exit from the property. NW Natural has applied for coverage of stormwater management under National Pollution Discharge Elimination System (NPDES) Permit 12002 for much of the property, including the Koppers Leasehold. A Stormwater Pollution Control Plan, inclusive of the Koppers Leasehold, is being finalized based on feedback from BES (comments received November 3, 2017). Planned stormwater management at the Koppers Leasehold, after completion of demolition and Koppers' departure, is supported by the building slab removal proposed as the alternate demolition specification. Removal of other slabs, or of subsurface footings or pilings, do not affect future stormwater management.

The alternative demolition specification, i.e., leaving certain existing below-grade foundations or footings in place, is proposed to reduce the risk that known contaminated soils below and adjacent to these foundations will be unnecessarily disturbed at this time. Disturbance of impacted soils could result in human health or ecological receptor exposure and migration of contaminants. The features deemed appropriate for removal at this time are included within the proposed alternative demolition specification and include large areas of concrete and asphalt slabs-on-grade, while footings, pilings, etc. are left in place (see attached Facility Detail Plan and Table 1).

In summary, leaving those subsurface foundation materials in-place as described in the alternative specification will be protective of human health and safety. These areas would be most effectively managed during the evaluation, planning, and implementation of a site-wide comprehensive multi-media remedy to be conducted by NW Natural and overseen by DEQ.

A statement from NW Natural is attached identifying the company's concurrence with this approach.

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## APPEAL DECISION

### **Demolition of ten buildings on one lot with foundations to remain: Granted as proposed.**

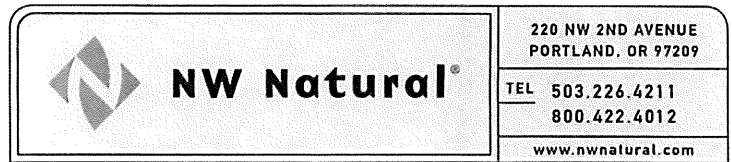
**Note: Approval does not waive any other Agency requirements.**

The Administrative Appeal Board finds that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; and that special conditions unique to this project make strict application of those code sections impractical.

Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs,

including forms, appeal fee, payment methods and fee waivers, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.

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November 13, 2017

**APPEALS**

City of Portland  
Bureau of Development Services  
1900 SW 4<sup>th</sup> Ave., Suite 5000  
Portland, Oregon 97201

**SUBJECT: NW Natural Concurrence as Related to Koppers, Inc. Building Code Appeal, Demolition; Code 24.55.150A**

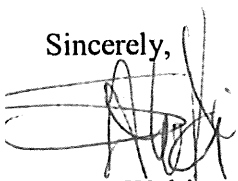
To Whom It May Concern:

NW Natural is currently evaluating site cleanup alternatives at the Gasco Site (inclusive of the Koppers Leasehold) as per the requirements of Voluntary Agreement No. WMCVM-NWR-94-13, dated August 8, 1994, first amended July 19, 2006, with second amendment dated October 11, 2016, between NW Natural and the Oregon Department of Environmental Quality (DEQ).

NW Natural has conducted extensive site investigations to date, having completed the Remedial Investigation and Risk Assessment for the property, and is presently working towards completion of the Feasibility Study which will evaluate a wide scope and breadth of potential cleanup alternatives for the Gasco Site. NW Natural has reviewed and is in concurrence with Koppers' proposed alternative demolition specification with regard to removal of certain slab-on-grade features and retention of others, as described in Koppers' appeal. NW Natural believes that, until the final remedial actions for the Gasco Site (including the Koppers leasehold) have been identified, leaving the proposed subsurface foundation features in place on the leasehold property will be protective of human health and the environment. The most effective path forward with regard to the Koppers Leasehold will be holistic, coordinated management of surface and subsurface conditions within this area as part of the overall remedy for the Gasco Site, to be selected in conjunction with DEQ.

Based on the preceding, NW Natural is in support of the November 13, 2017 appeal as prepared by Ms. Linda Paul on behalf of Koppers, Inc. for the specified alternative from Code Section 24.55.

Sincerely,



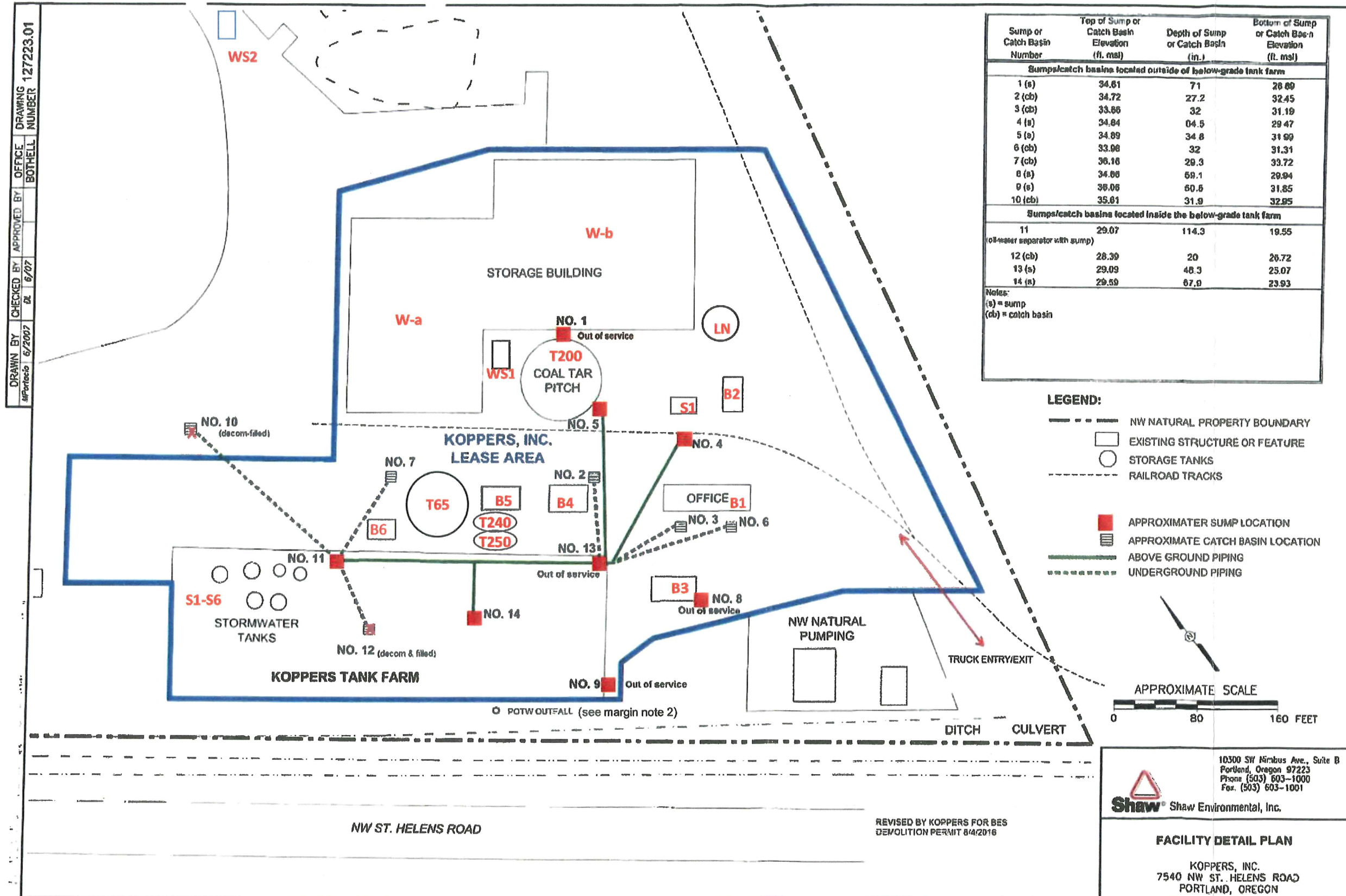
Steve Walti  
NW Natural, Risk & Land Manager

**Table 1 - Action Proposed for Foundations Per Building Location**

<b>Description</b>	<b>Bldg #</b>	<b>CoP Permit#</b>	<b>Size</b>	<b>Area (ft2)</b>	<b>Action Proposed</b>
Office/Lab	B1	17-107177-000-00-CO	26'x88'	2288	Demolish structure; Floor slab and subgrade foundation remain
Locker Room	B2	17-107184-000-00-CO	22'x36'	792	Demolish structure; Floor slab and subgrade foundation remain
Boiler House	B3	17-107196-000-00-CO	26'x44'	1144	Demolish structure; Floor slab and subgrade foundation remain
Maintenance Shop	B4	16-207420-000-00-CO	18'x32'	576	Demolish structure; Floor slab and subgrade foundation remain
Control Room	B5	17-107200-000-00-CO	15'x34'	510	Demolish structure; Floor slab and subgrade foundation remain
Storage Bldg	B6	17-107202-000-00-CO	16'x24'	384	Demolish structure; Floor slab and subgrade foundation remain
Storage Shed	S1	17-107205-000-00-CO	9'x27'	243	Demolish structure; Floor slab and subgrade foundation remain
Warehouse (section a)	W-a	16-207430-000-00-CO	150'x200'	30000	Demolish structure; Remove concrete floor slab; Subgrade foundation remains
Warehouse (section b)	W-b	16-207430-000-00-CO	130'x186'	24180	Demolish structure; Remove concrete and asphalt floor slabs; Subgrade foundation remains
Weather Shelter 1	WS1	17-107210-000-00-CO	14'x26'	364	Demolish structure; Floor slab and subgrade foundation remain
Weather Shelter 2	WS2	17-107212-000-00-CO	18'X26'	468	Structure to remain at request of the City of Portland as it is located in the greenway.



DRAWN BY  
APPROVED BY  
CHECKED BY  
DATE  
DRAWING NUMBER  
127223.01



### Building Demolition Permits

- B1 Office/Lab 17-107177-CO
- B2 Locker Rm 17-107184-CO
- B3 Boiler House 17-107196-CO
- B4 Maint. Shop 16-2074420-CO
- B5 Control Rm 17-107200-CO
- B6 Storage Bldg 17-107202-CO
- S1 Storage Shed 17-107205-CO
- Warehouses Sections W-a / W-b
- W-a 16-207430-CO
- W-b 16-207430-CO
- WS1 Shelter 17-107210-CO
- WS2 Shelter 17-107212-CO

### Tank Demolition Permits

- T200 Pitch 17-940-000-00-FS
- T240 Hot Oil 17-940-000-00-FS
- T250 Hot Oil 17-940-000-00-FS
- T65 Pitch 17-940-000-00-FS
- SW1 Water 17-940-000-00-FS
- SW2 Water 17-940-000-00-FS
- SW3 Water 17-940-000-00-FS
- SW4 Water 17-940-000-00-FS
- SW5 Water 17-940-000-00-FS
- SW6 Water 17-940-000-00-FS
- LN N2 16-241379-000-00-FS

### Additional Notes:

- Debris will be directly loaded into drop boxes as demolition progresses. Truck traffic will consist of dropping off and picking up drop boxes, and all traffic will be on clean paved surface. Travel distance from drop box staging to exit is approximately 300'.
- POTW Outfall is the only inlet to CoP sewer system. This inlet is covered and located 4'-8" above the rest of the facility. Since water must be pumped to it in order to discharge this inlet will not be impacted by precipitation. Remaining catch basins/sumps will have inlet insert bags installed similar to those shown in Figure 1 of the Demolition Plan. Note that sumps 2, 3, 6 and 7 are the only active drains remaining at the facility. The remainder of the sumps have no power, piping removed and/or been filled.
- All structures to be demolished shall be taken down in a safe manner. The streets or sidewalks shall not be littered with rubbish and shall be wet down, if necessary. During any demolition work, all receptacles, drop boxes, shafts, or piping used in such demolition work shall be covered in an appropriate manner.