

JOSHUA BESSEX — The Daily Astorian

Robert Evert, permit and project manager for the Port of Astoria, finishes collecting stormwater samples Monday near Pier 3. The Port of Astoria submitted a plan to the Department of Environmental Quality to install a biofiltration system to treat storm runoff before it enters the Columbia River.

## **Port:** Central treatment system is better at controlling runoff

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come vegetative Then swales with rushes, sages and other appropriate plant life to filter and take up contaminants, before the treated stormwater finally runs through metal gabion (big cage) baskets filled with oyster, crab and/or other shells to help remove metal.

Shells have a high concentration of calcium carbonate, which when released into water helps absorb and precipitate metals. Similar measures have been used by the Port of Seattle to capture metals from stormwater at Seattle-Tacoma International Airport and from highway overpasses.

The Port's plan includes installing signs along the Astoria Riverwalk to explain to passers-by how the stormwater system cleans water.

The plan still needs to be OK'd by the DEQ, which issues



JOSHUA BESSEX — The Daily Astorian Bottles of storm runoff water sit on rocks along Pier 1 as Evert collects a final sample.

owns the land where the Port proposes to place its system. Whether the proposed system is successful depends on tests after it becomes operational by summer 2016.

#### **Higher standards**

The Port is not alone. By permits, and the DSL, which the end of 2014, 175 of the 817 industrial stormwater permit-holders were moved into the Tier II designation and had to start improving treatment of their runoff, said Water Quality Manager Ron Doughten with the DEQ.

The higher standards stem from an agreement the DEO

made with the Northwest Environmental Defense Center and Columbia Riverkeeper, which legally challenged the existing stormwater permits in 2007 and 2008 as not being stringent enough to protect water quality under the Clean Water Act. The permit revisions also reflect changes the U.S. Environmental Protection Agency made in its general permit for industrial stormwater discharges.

Possibly the biggest advantage of the Port's plan for a central treatment system is better controlling its runoff.

"It would eliminate a number of those outfalls and consolidate the effluent to one outfall. It would actually be the outfall from the bioswales and the gabions — it would be the treated outfall," said Evert, who also predicted a dramatic reduction of suspended solids and metals going into the river.

### INTO THE RIVER

Samples show what the Port puts in the Columbia

By EDWARD STRATTON The Daily Astorian

On a rain-soaked day in early January, the Port of Astoria's Permit and Projects Coordinator Rob Evert gathers his bottles and goes out to stock up on effluent for the Oregon Department of Environmental Quality.

Evert and other Port staff gather runoff during storm events throughout the year, send them to a third-party laboratory and relay the results to DEQ, which requires the data to ensure the Port's stormwater management system is adequate to control pollutants.

"The permit reads that it needs to be the worst possible conditions," said Evert, who finds them Jan. 5 at the edge of Pier 1, just past the log yard where Astoria Forest Products loads millions of board feet of timber onto outgoing ships using log trucks and front loaders.

Evert scrambles down a rock embankment, where he finds a plastic pipe coming out underneath Pier 1, one of four outfalls of water into the Columbia he samples along the central waterfront. The Port also monitors three outfalls at North Tongue Point.

He's doing one of the quarterly samples required for pH balance, copper, lead, zinc, iron, aluminum, oil, grease and suspended solids. The Port gathers samples eight times a year to test for cadmium, nickel and chromium; and two times per year for arsenic, insecticidal DDT, E. coli and polychlorinated biphenyls (PCBs) often used in electrical equipment.

The consequences for missing the monitoring goals are serious. The DEQ issued the Port a civil penalty of \$22,581 late last year for failing to monitor certain pollutants in the Gateway District and at North Tongue Point. The Port received a similar fine in 2013 for missing the monitoring requirements.

"It's almost a little bit of the honor system," said Evert, who sends his samples to the lab within 24 hours, and the discharge monitoring reports to DEQ. When there's an issue, he said, he goes upstream, sees if internal housekeeping at the Port can solve the issue. And if the above-average pollutant readings continue, then comes the situation the Port's in with the DEQ, creating a new stormwater treatment plan.

"With the stormwater and the industrial wastewater rules, it focuses on the aquatic life," said Evert. "What's interesting about that, for instance, is in Puget Sound, you cannot turn on the tap and discharge tap water into Puget Sound, because the water quality is not good enough.

"The permittees, the agencies, are striving toward a level of cleanliness of that water that's going back into the river, back into the Sound, back into the bay, that's better than the quality of water we're drinking. Is that reasonable? Yes. Is that realistic? Sometimes a challenge.'

The Environment Protection Agency estimates that runoff from impermeable surfaces comprises 30 percent of water pollu-

"It's based on the facility, but copper and zinc are very common," said Water Quality Manager Ron Doughten with the DEQ. Copper, even at very low levels, can inhibit the ability of fish to smell and sense danger, while zinc can suffocate fish by collecting on gills. They come from various sources, including brake pads, tires, motor oil and galvanized roofing.

One of the Port's biggest sources of pollutants, like many other ports, is its boatyard. Since 1992, said Evert, there have been 38 boatyards shut down in Washington and Oregon because of stormwater regulations.

Port Commissioner Bill Hunsinger was also spot on, he added, when he talked about the 1,100 trucks per log ship adding to the problem, along with all the other vehicles regularly crisscrossing the Port's waterfront. Beyond the Port, there's runoff from the roads, roofs and other sources in the city that contribute to the Port's effluent.

An advantage of a new stormwater system DEQ recently mandated the Port create by summer 2016, Evert said, will hopefully concentrate the agency's stormwater in one outfall, which is treated before it goes into the Columbia River.

## Neawanna: Facility remains embroiled in a U.S. District Court case against its former employees

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care facilities in Oregon.

"They're all at risk of losing their license at any time," Oace said. "We have not made any decision to or expressed any attempt to - remove (Neawanna's) license to operate."

Such a decision would depend on the severity of the deficiency, Oace said. All of the deficiencies noted in the 2014 surveys were documented as isolated incidents, and very few were determined to have actually caused harm to a resident.

In response to the September findings, however, Neawanna hired the Portland-based Frontier Management shortly thereafter as its new management company, replacing Westmont Living, based in La Jolla, Calif.

Frontier was "asked to step in and help move Neawanna forward," said a Frontier employee who wished to remain anony-

"drastic" change The "shows a good faith effort on the part of the provider to come into compliance," Oace said. "We're encouraged and hope that they're headed in the right direction."

#### **Complaints and** allegations

The deficiencies recorded in Neawanna's inspections appear to be small-scale lapses largely relating to how the facility tracks its patients' conditions and administers their medications.

But they reflect the general allegations of seven of Neawanna's ex-employees who claim, in sworn affidavits with the Oregon Bureau of Labor and Industries, that

'They're all at risk of losing their license at any time.'

Cory Oace

manager of the community-based care licensing unit that oversees Neawanna speaking of the nearly 500 community care facilities in

they witnessed Neawanna occasionally mistreating its residents. Neawanna, along with

Westmont Living, remains embroiled in a U.S. District Court case against its former employees, who allege in a civil suit that the business engaged in wage theft, discriminated against its workers based on age, race and sex, and may have unlawfully terminated them for blowing the whistle on its practices.

In 2014, state Adult Protective Services investigated six separate complaints against Neawanna while the facility was under Westmont Living's management.

Three of the complaints were deemed unsubstantiated: that is, no wrongdoing appears to have occurred.

One of the substantiated complaints — a failure to administer ordered medication — resulted in exposing a resident to potential harm. Another — a failure to follow a care plan — prevented a resident from receiving needed lotion on a sore.

And the sixth — a failure to provide a resident with prescribed narcotic medications when the resident moved to another facility — had caused the resident unreasonable discomfort for several days. "This failure is a violation of resident rights, is considered neglect of care and constitutes abuse," ac-

cording to the findings.

However, that number of complaints is "not uncommon," Oace said, which "is not to say that the goal isn't zero." "We have lots of facilities that have more, we have lots that have less."

The plaintiffs in the civ-

il suit — Wesley Cordova, a former cook; Elodia Gonzalez, a former caregiver; Lynzee Johnson, a former medical technician; Kylee Lunsford, a former medical technician; Amy Patterson, a former medical technician; Matthew Perry, a former dishwasher; and Michealyn Schroeder, a former resident services director — also claim in their affidavits that Neawanna ignored unsanitary conditions, created a hostile work environment and allowed sexual harass-

ment to occur. They have retained lawyer Michael Ross, of Slater Ross Attorneys in Portland. Slater is handling the plaintiffs' allegations as a single claim against Neawanna and Westmont Living. David Silke, of the Seattle-based Gordon & Rees LLP, represents the defendants.

The seven are still seeking economic damages, liquidated damages, noneconomic damages of \$100,000 per plaintiff, equitable relief, pre- and post-judgement interest and costs, disbursements and attorney fees.

Attempts by the EO Media Group to reach Westmont Living were unsuccessful.

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