State of Oregon
Department of
Environmental
Quality

12th Annual Environmental Cleanup Report

Submitted to:

Governor John Kitzhaber

Oregon Legislative Assembly

Environmental Quality Commission

by

Stephanie Hallock, Director

Paul Slyman, Administrator
Environmental Cleanup Division

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Executive Summary

Introduction

The Department of Environmental Quality (DEQ) is required by statute (ORS 465.235) to report annually to the Legislature, the Governor and the Environmental Quality Commission. The purpose is to report cleanup accomplishments of the previous fiscal year; forecast activities for the current fiscal year; report on the status of cleanups in Oregon; and update the program plan every 4 years (last updated in the 1999 report).

This report's primary focus is DEQ's hazardous substance cleanup program. Additional information is provided about cleanups of leaking underground storage tanks (including heating oil tanks), which are conducted under separate statutory authority.

Highlights

This report includes:

- A statistical summary of cleanup activities
- Descriptions of some significant and representative cleanups and spill events
- A review of changes to the state's cleanup laws in the 1999 legislative session and an update on implementation of those changes
- An update on initiatives to improve cleanup processes, including the Independent Cleanup Pathway, and spill response and prevention
- A report of other key cleanup activities, including returning the state's brownfields to productive use, focusing cleanup activities on the state's most vulnerable areas, and outreach to those potentially affected by contamination
- A brief outline of budget and legislative issues to be considered in the 2001 session

Cleanup Accomplishments – Fiscal Year 2000

In the fiscal year ending June 2000, DEQ's environmental cleanup program designated 93 sites as requiring no additional action to protect human health and the environment. Since 1989, 670 sites have received "No Further Action" designations. DEQ is currently working on nearly 400 sites. We estimate that the number of sites completed in the current fiscal year will increase somewhat, primarily due to the success of the Independent Cleanup Pathway.

In addition to cleanups approved by the hazardous substance cleanup program, 1,859 underground storage tank cleanups were approved in accordance with DEQ's underground storage tank (UST) rules. Of these, 354 were regulated petroleum fuel tanks typically located at gasoline stations. The other 1,505 were heating oil tanks that are now decommissioned and cleaned up under a privatized program in which licensed contractors review and approve the work.

Program Improvements

During the 1999-2001 biennium, DEQ undertook the following initiatives to improve the effectiveness of its environmental cleanup programs:

- Created a new headquarters division to focus more attention on environmental cleanup and spill prevention and response. The 2001-03 budget proposes to make this change permanent.

- Collaborated with advisory groups on several program improvements:
    - Formalized the Independent Cleanup Pathway (ICP) to assist people in cleaning up contaminated property without ongoing DEQ oversight. Under this program, DEQ reviews reports of completed cleanups provided by property owners. If the cleanup is consistent with state cleanup rules, DEQ issues a "No Further Action" determination. This successful program provides more flexibility and reduces oversight costs.
    - Developed an Alternative Dispute Resolution process, which provides a forum for DEQ and participants in the ICP to resolve contested "No Further Action" determinations.
    - Prioritized actions to address program issues identified in an independently conducted survey of cleanup program participants. Recommendations include reviewing technical issues, improving communication between DEQ project managers and participants, and improvements in procedures, such as invoice content.
- Established a special Environmental Cleanup Financial Committee to advise DEQ on create financial solutions to assist and promote cleanup. The Committee produced a report recommending several ways that the burden of financing cleanups might be lessened.

2001 Legislative and Budget Issues

The Governor is proposing legislative changes and budget actions affecting DEQ programs:

- Increase vessel and marine facility fees to enable DEQ to carry out mandated marine oil spill preparedness and prevention responsibilities
- Improve spill prevention and preparedness, by extending existing contingency planning requirements to all petroleum pipelines, preventing spills from inland hazardous material storage facilities and expanding financial assurance requirements to cover wreck removal
- Use existing DEQ revenue instead of general funds to make payments during 2001-03 on the proposed $8 million orphan site bond sale. This budget proposal permits DEQ to continue cleaning up high priority environmental sites during 2001-03, but additional funding will be needed to cover debt service obligations in subsequent biennia.
- Provide sufficient funding to continue the newly authorized heating oil tank decommissioning and cleanup certification program and to prevent future releases by ensuring safe management of underground petroleum storage tanks. This requires increases in both regulated tank permit and heating oil report filing fees.

For More Information

More information about several of the items covered in this report is available from:

- The Cleanup and Spills Program section of DEQ's web site, DEQ Online: www.deq.state.or.us/wmc/cleanup/clean.htm. Items below with a "DEQ Online" designation can be found on this site. The page also includes links to pages for DEQ's three regions, which contain additional cleanup information.
- Profiles in Cleanup, A Pictorial Review of Some of the Environmental Cleanup Sites in Oregon, Fall 2000. (DEQ Online)
- Independent Cleanup Pathway Fact Sheet (DEQ Online)
- Environmental Cleanup Financing Committee's Report and Recommendations (DEQ Online)
- Report on Alternative Dispute Resolution to Oregon's Legislative Emergency Board, November, 2000
- Report to the Legislature on Heating Oil Tanks, August 31, 2000 (DEQ Online)

Accomplishments – Fiscal Year 2000

Sites Completed

In the fiscal year ending June 2000 (FY 2000), DEQ gave "No Further Action" (NFA) designations[1] to 93 hazardous substance cleanup sites. This indicates that these sites are sufficiently clean to protect human health and the environment. Thirty-six of these were where contamination was suspected, but DEQ's initial assessment indicated that no cleanup action was needed. Since 1989, DEQ has completed 670 No Further Action determinations.

Sites Listed

During FY 2000, 166 sites were added to DEQ's database of properties known or suspected to be contaminated with hazardous substances. The hazardous substance site list now includes more than 2,400 sites, including the 670 completed sites.

Once identified, sites in the cleanup database are evaluated for their potential impact on human health and environment, and if they meet certain criteria, they are added to one of two statutorily required lists[2]. One is the **Confirmed Release List**, which consists of sites where DEQ has verified that hazardous substances have been released to the environment. In FY 2000, 48 sites were added to this list. As of December 2000, there were a total of 496 sites on the Confirmed Release List. The other list is the **Inventory of Hazardous Substance Sites**, which consists of confirmed release sites that need additional investigation or remediation. Twenty-six sites were added to the Inventory in FY 2000 and the total on the Inventory now stands at 260 sites.

Cleanups vary in complexity and in the nature of DEQ's involvement. The box on this page describes the various "routes to cleanup" and defines terms used in this report. A statistical summary of FY 2000 cleanup actions and projected FY 2001 activities is included on page 17.

Routes to Cleanup in Oregon

At most contaminated sites, there is an owner or operator who is legally responsible to pay for the cleanup. DEQ has authority to require responsible parties to clean up through enforcement orders – these are called **site response** actions. More often, however, responsible parties address the contamination voluntarily. DEQ's **voluntary cleanup** program provides an avenue for the property owner or operator to investigate and clean up, with DEQ overseeing the process. In 1999, DEQ formalized another option, called the **independent cleanup pathway**, in which the investigation and cleanup is done with a much reduced level of DEQ involvement. (See page 5 for more information.)

When the responsible party has not been identified or is unable or unwilling to pay for cleanup, DEQ can use "**orphan site**" funds to take necessary cleanup action. In 1995, in addition to orphan funding, the Oregon Legislature authorized another fund, funded by the dry cleaning industry, for cleaning up contamination at **dry cleaning sites**. DEQ also works with the federal Environmental Protection Agency (EPA) at the 10 Oregon sites currently on the **National Priorities List**, commonly known as the Superfund List.

Cleanups involving only releases of petroleum products from **underground storage tanks (USTs)** are managed within DEQ separately from other hazardous substance sites. Cleanups of large petroleum fuel tanks, primarily located at gas stations, are **regulated tank cleanups** under state and federal law. Cleanups of leaks from **heating oil tanks**, often at residential locations, have similar requirements.

Statistics in this report do not include USTs unless specifically noted.

[1] In this report, the term NFA includes "'conditional" NFAs, which includes sites where the determination depends on long-term operation and maintenance actions, or the on-going application of engineering or institutional controls. To date, DEQ has issued 38 conditional NFAs.

[2] Copies of the two lists are available from DEQ at (503) 229-5913 or toll-free, (800) 452-4011. The current lists also can be viewed or downloaded from DEQ's web site. Go to www.deq.state.or.us/wmc/cleanup/listing.htm for information about the listing process and the link to DEQ's cleanup database.

Accomplishments by Program

Site Response: Sites cleaned up under enforcement orders and orphan sites are Oregon's most seriously contaminated sites. At these sites, it can take a number of years to accurately define the extent of the contamination, design an appropriate remedy and complete the cleanup. There are currently about 160 active site response sites. This includes sites financed by the orphan site and dry cleaner funds, and those on EPA's Superfund List, as well as those financed by responsible parties. About 100 of the 160 site response cleanups are being carried out by responsible parties under oversight agreements with DEQ. During FY 2000, 5 sites were completed and given No Further Action determinations.

Orphan Sites: Because orphan funding is limited, only sites posing significant risk to people or the environment become orphans. Orphan sites fall into two categories based on the type of activity causing the contamination. Solid waste orphans involve contamination at municipal or other domestic waste landfills and are financed by a fee on the disposal of solid waste. Industrial orphans are sites contaminated by industrial or commercial activity and are currently financed primarily with state general funds. Additional funding comes from a fee on hazardous substances.

In 1999, the Killingsworth Fast Disposal landfill in Portland became the first solid waste site to be declared an orphan. DEQ used orphan site funds to complete construction, in early 2000, of a new system to extract and safely burn off the methane gas. The new system replaced the no-longer-functioning system installed before the landfill's owner declared bankruptcy.

DEQ added thirteen sites to the industrial orphan list in calendar year 2000. Since 1991, when DEQ first started doing cleanup work at state-funded orphan sites, 47 sites have been placed on the industrial orphan site list. Orphan fund financed cleanup activities are on-going at 34 of these sites. Four sites have received NFA determinations, including the Rose City Plating site in Portland, which was completed in September 2000. At the other nine, either the high priority work has been completed, or the responsible party or another funding source (such as the federal Superfund) is conducting further cleanup.

Over the past nine years, DEQ has spent about $30 million on orphan site cleanups. About $3.5 million received through cost recovery, insurance settlements and prospective purchaser agreements has been returned to the fund. Much more orphan work remains: There are about 10 sites currently being evaluated as potential orphans.

Current Cleanup Project Examples

DEQ and EPA have completed a number of investigations focused on the presence of arsenic and mercury in the **Calapooya/Sutherlin Watershed**. Past mining activity is a very likely contributor. DEQ is taking several actions. DEQ has removed highly contaminated soils from the Bonanza Mine mill area. Investigations will continue there and at the Nonpareil Mine. Air and soil samples also will be taken to evaluate the risks to a nearby residential area.

Hayden Island Cleaners was one of the first sites accepted into DEQ's **dry cleaner cleanup program** in 1997. DEQ's investigation confirmed earlier discovery of dry cleaner solvent, known as perc, in soils and groundwater and determined the extent of the contamination. In 1999, contractors injected a compound to accelerate the natural degradation of the solvent. Early indications are that the process, which is expected to be less expensive than the usual "pump and treat" method, is successful.

A lumber mill in Joseph entered the **voluntary cleanup** program to receive oversight of its cleanup of the mill, which closed in 1995. Under DEQ's direction, the company conducted confirmation sampling at seven areas where petroleum contaminated soil had been removed. Concentrations of lead and arsenic in one area exceeded acceptable levels. After completion of steps to prevent exposure to the contaminated soil, DEQ issued an NFA for that part of the site. Further work is necessary in another area, where contaminated soil is stored in lined cells.

Investigation is nearly complete at a toy manufacturing facility in DEQ's **site response** program. An industrial solvent was discovered in the facility's water supply well at levels significantly above the federal drinking water standard. The well was immediately taken out of service and replaced by municipal water supply. As an interim measure, systems were installed to prevent the migration of contamination to other supply wells in the area. Steps also have been taken to correct the elevated level of the contaminant found in indoor air at a nearby retail store. DEQ expects to approve a final remedy in early 2001.

Two projects illustrate the range of sites in the **Independent Cleanup Pathway**. One, a former machine works and foundry, was a fairly complex cleanup. The owner requested DEQ technical consultation at several points to verify that investigation and cleanup were being done properly. This project has moved more quickly than it would have with full DEQ oversight. Another site, an ink manufacturing facility, was a relatively simple cleanup. DEQ provided minimal consultation to help the company design the field investigation, which showed that no cleanup was necessary. It took about 6 months from initial application to issuance of the NFA.

Dry Cleaner Sites: Since the dry cleaner cleanup program began funding investigation and cleanup in 1997, 22 dry cleaners have applied for assistance. No cleanup was necessary at two of the sites. Cleanup is complete at six of the sites and four others are scheduled to be completed by the end of 2000. Several dry cleaner sites have afforded DEQ the opportunity to team with private industry to demonstrate a method to speed up groundwater cleanup. (See Hayden Island Cleaners in the box on page 2.)

Voluntary Cleanups: Since this cleanup program was initiated in 1991, DEQ has issued NFA letters for more than 265 sites cleaned up under voluntary agreements, far more than would have been possible under the site response program alone. About five new sites now enter the program each month. Since the introduction of the Independent Cleanup Pathway in April, 1999, more than half of the sites entering the program have been independent cleanup projects, while the others continue to be traditional voluntary cleanups with full DEQ oversight. Currently, the average number of active voluntary cleanup sites, including those participating in the independent program, is about 235.

Prospective Purchaser Agreements

Over the last several years, brownfields – abandoned or underutilized commercial or industrial properties where redevelopment or reuse is hampered at least in part by contamination – have become an increasingly visible issue nationwide and in Oregon. Cleaning up and reusing these properties not only protects people and the environment, but also increases employment, creates vibrant communities and lessens the need to build in undeveloped "greenfield" areas. DEQ has made returning these properties to productive use a key goal of existing cleanup programs.

One of the primary tools available to encourage brownfield redevelopment is the prospective purchaser agreement (PPA). A PPA is an agreement between DEQ and a buyer of contaminated property which limits the buyer's cleanup liability in exchange for a "substantial public benefit", such as assisting with cleanup or providing new jobs. DEQ completed eight new agreements in calendar year 2000. Agreements have been signed covering 42 properties since

Recent Significant Spill Events

- A barge used as a platform for painting the **I-5 Bridge** over the Columbia River capsized, spilling a variety of heavy equipment, 67 barrels of spent sandblasting material (including lead-based paint) and about 2,000 gallons of diesel fuel. Response was complicated by the difficulty of working in an area adjacent to a shipping lane and with relatively swift currents. In addition to overseeing removal and evaluating options to reduce environmental damage, DEQ also assisted ODOT and its contractor in developing a management plan for the hazardous materials recovered.
- A tank truck hauling molten phenol tipped over on **Highway 199 near Cave Junction**. Before the issues of environmental damage could be resolved, the imminent danger to human health had to be addressed. DEQ coordinated with a variety of emergency responders, including State Police, local fire and hazardous materials teams and ODOT. Nearby residents were notified to be aware of air contaminants and asked to leave the area during the time the responders attempted to re-right the truck.
- A cargo truck wrecked and burned on the I-84 bridge over **15 Mile Creek** near The Dalles. Approximately 2600 gallons of herbicide was spilled, killing everything in the creek up to the Columbia River. Among the native wildlife impacted was the ammocete, the larva of the lamprey eel, which has cultural significance to Native American tribes. DEQ coordinated the response from the herbicide manufacturer, the trucking firm, and several state and federal agencies. A particular challenge was bypassing the creek to prevent the herbicide from flowing to the Columbia only a half mile away. Over one million gallons of contaminated water were recovered. Cleanup continues under cleanup program oversight.
- A privately owned pleasure boat was grounded in the **Willamette River near Salem** and sunk. Fuel oil leaked from the boat and into the river. Because the owner was unable to respond to the spill, DEQ hired a contractor who recovered an estimated 330 gallons of fuel. This action prevented further damage to the environment.
- The **Mitsubishi Silicon America** facility in Salem spilled approximately 1,500 gallons of sulfuric acid to the West Middle Fork of Pringle Creek. More than 5,000 fish were killed. The spill was traced to a leak in a pipe from the acid storage tank. DEQ identified areas for sampling and reviewed the site investigation plan, including holding ponds and containment areas.

1995.

Spill Response

Each year, DEQ receives about 1500 reports, from the Oregon Emergency Management System, of spills possibly involving hazardous substances. Because DEQ does not have sufficient resources to respond to many spill events, DEQ staff rely on reported information to determine the appropriate response. Response ranges from minimal, at events where the risk is low or it appears the responsible party is responding appropriately, to full coverage at major or significant spills.

Fiscal year 2000 brought a fairly typical number of spill reports, and included a relatively large proportion of significant events. DEQ plans for about 10 to 15 such events a year.

Underground Storage Tanks

In FY 2000, 1,859 underground storage tank cleanups were certified as having been cleaned up in accordance with the state's tank cleanup laws. Of these, 354 were regulated underground storage tanks (USTs) – large petroleum fuel tanks at retail service centers and other commercial establishments. The other 1,505 cleanups were heating oil tanks, primarily residential, which are now certified by DEQ-licensed contractors. Leaks from regulated tanks are a continuing problem, as inactive tanks are decommissioned and upgraded UST systems fail. Although heating oil tanks are smaller than regulated USTs and thus pose somewhat less danger to the environment, they are of concern because approximately 20% impact groundwater and most are located within 10 feet of the home.

Changes to Oregon's Cleanup Statutes

- The 1999 Legislature passed SB 1113, which amended cleanup statutes (ORS 465.381) to allow the use of orphan funds for investigation and cleanup of contamination in "submerged lands" – the sediments in Oregon's rivers and other waterbodies, most of which are state-owned. This enabled DEQ to perform work related to contaminated sediments in the Portland Harbor area of the Willamette River, including development of a remedial investigation plan. DEQ anticipated performing similar orphan-funded work in Coos Bay. This has not been necessary to date, because responsible parties agreed to do the required investigation. See page 9 for more information on these cleanups.

- Amendments contained in HB 3616 encourage the use of excavation and removal remedies at areas of hazardous substance contamination defined as "hot spots" under cleanup law (ORS 465.315). Previously, the law specified a preference for treatment in these areas – in other words, the use of technologies that permanently eliminate or reduce the level of contamination. For hot spots in soil, the revised law expands the preference for treatment to include "digging and hauling" to an authorized hazardous waste landfill. In July 2000, the Environmental Quality Commission approved amendments to DEQ's environmental cleanup rules reflecting this change.

- The Legislature also passed SB1205, changing Oregon law concerning insurance coverage for cleanup of environmental contamination. The amendments provided that 1) Oregon law applies to claims when cleanup of contaminated sites occur in Oregon, unless the policy provides that the laws of other states apply; 2) cleanup agreements with DEQ and EPA are equivalent to lawsuits when those terms are used in insurance policies; and 3) fees and costs under voluntary cleanup agreements and consent orders with DEQ or EPA are not considered voluntary payments when insurance claims are made. (ORS 465.200 to 465.510)

- In SB 1089, the Legislature enacted administrative changes intended to improve collection of the fees used to pay for dry cleaner cleanups. Industry representatives sponsored proposals in the 1999 session to increase program revenue, which has lagged expectations, but they were not enacted. (ORS 465.517, 465.537)

- Two statutory changes affected heating oil tank cleanups. One, SB 542, eliminated the 1997 law that would have provided grants to homeowners with heating oil tank problems and required DEQ to form an advisory committee to investigate ways to lower cleanup costs. This bill also requires the oil to be pumped out when tanks are taken out of service, as a way of avoiding future leaks. Another bill, HB 3107, was enacted authorizing and providing funding for DEQ to develop a new heating oil tank program. The program uses DEQ-licensed contractors to certify tanks are properly decommissioned and contamination is cleaned up, if necessary. Rules implementing both of these changes were adopted by the Environmental Quality Commission early in the year 2000.

Program Changes and Improvements

During the 1999-2001 biennium, DEQ undertook several initiatives to improve the effectiveness of its environmental cleanup programs.

In January 2000, a separate environmental cleanup division was established within DEQ's headquarters structure to enable increased focus on the environmental cleanup and spill prevention and response programs. DEQ's proposed budget for 2001-03 requests an additional division administrator position to make this change permanent.

DEQ also worked with advisory committees on several initiatives. Two standing environmental cleanup advisory groups, the Environmental Cleanup Advisory Committee and the Voluntary Cleanup Focus Group, assisted DEQ in developing a survey of cleanup program participants, and in identifying areas for improvement. These groups also helped DEQ craft a mechanism to resolve disagreements related to Independent Cleanups, as directed by the Legislature in a 1999 Budget Note. In addition to these efforts, DEQ's Director established a special citizen's advisory committee to advise the agency about tools to facilitate financing of environmental cleanups. Finally, DEQ's Underground Storage Tank program implemented the new heating oil decommissioning and cleanup program authorized by the 1999 Legislature. The following is a status report on these initiatives.

Independent Cleanup Pathway

In April 1999, DEQ formalized the Independent Cleanup Pathway, which specifies the process for parties who want to clean up contaminated sites without ongoing DEQ oversight. This alternative to the existing voluntary process was a result of feedback from site owners and other stakeholders in the Voluntary Cleanup Focus Group, with which DEQ has been working for the past several years. Although it has always been possible for a responsible party to clean up a site and ask DEQ to approve the cleanup later, the Independent Cleanup Pathway (ICP) adds more definition and certainty to the process.

The Independent Cleanup Pathway provides more flexibility in scheduling the investigation and cleanup, and lowers cost by reducing DEQ oversight. If the responsible party gives DEQ sufficient notice (90 days) before submitting a final report, DEQ's goal is to complete its review within 60 days. Although the Independent Cleanup Pathway eliminates the usual step-by-step DEQ oversight, the program also offers an option for the party to pay for the amount of technical consultation it desires. By consulting with DEQ, the party may avoid cleaning up either more or less than would be required, or preparing an incomplete final report.

The ICP is available only for sites ranked as low or medium priority for further investigation or cleanup. Because these sites represent less risk to human health and the environment, they generally lend themselves to appropriate cleanup without DEQ oversight. In addition, more complex sites usually require more review, and DEQ would not be able to meet the expected turn-around time.

The program has been successful in many respects. As of this writing, 62 sites have entered the Independent Cleanup Pathway. Participation has been about evenly split between those requesting technical consultation before submitting cleanup reports for approval and those simply submitting their final report for approval. A few projects have requested only technical assistance to quickly resolve environmental issues on large development projects. In most cases, DEQ has exceeded the goal of completing reviews within 60 days. This is an important factor for many parties cleaning up properties voluntarily. Average turnaround to date has been about 40 days. The program is also increasing the total number of cleanups completed to DEQ standards because sites can be cleaned up more quickly. In addition, the technical consultation provision allows property owners to take advantage of DEQ expertise as needed, making it easier to pursue cleanup at their own pace, or phasing the environmental work with other redevelopment activities.

The program is still new and both DEQ and the regulated community are learning about its benefits and limitations. Of the 25 final reports submitted to date, 11 initially lacked sufficient information for DEQ to issue an NFA. Most of these are being successfully completed with supplemental information. DEQ is currently developing improved guidance about final report requirements to make the process more efficient for both the participants and DEQ. Similarly, DEQ is also clarifying other aspects of the ICP information packet to reduce the administrative cost of explaining the program to new participants.

Environmental Cleanup Financing Committee

DEQ established the Environmental Cleanup Financing Committee in April 2000 "to identify actions state government could take or encourage that would reduce or eliminate the financial and economic barriers to cleanup, so that private and governmental resources are used efficiently and fairly to achieve the level of environmental protection mandated by the state's environmental cleanup laws."

The Committee, which consisted of three citizen members with financial and legal expertise, met seven times to consider information from several sources, including an environmental consulting firm hired to provide research support, DEQ staff, experts on various topics, and interested parties. The Committee explored financial and other obstacles preventing site cleanups, reviewed financial tools and opportunities currently available in Oregon and identified potential new solutions for reducing the cost barriers. Public comments relating to the draft recommendations were received at the Committee's last meeting in late November and a detailed report was delivered for the Director's consideration in December.

In general, the Committee found that Oregon already has a number of effective tools for financing cleanup of contaminated sites, but that many are underutilized or need to be expanded to meet the needs of those conducting cleanups. Several recommendations making better use of existing resources are contained in the Environmental Cleanup Financing Committee's Report and Recommendations, which is available from the Department and on the DEQ web site.

Alternative Dispute Resolution

The 1999 Legislature directed DEQ in a Budget Note to "investigate mechanisms for dispute resolution and mediation for the independent cleanup program to provide for an alternative path when the Department denies the application for a No Further Action determination."

DEQ actively involved its customers and other stakeholders, in particular the Environmental Cleanup Advisory Committee and the Voluntary Cleanup Program Focus Group, to develop an Alternative Dispute Resolution (ADR) process. The results of this work were presented to the Legislative Emergency Board at its November 2000 meeting.

Other Environmental Cleanup Improvements

In early 2000, as a part of its continuing efforts to improve its cleanup programs, DEQ hired a consultant to conduct a confidential survey of program participants and other interested parties. The intent was to measure customer satisfaction and identify potential areas for program improvement. DEQ collaborated with the Environmental Cleanup Advisory Committee and the Voluntary Focus Group to develop questions for the survey. The survey included a large-scale telephone survey (305 responses) and 21 more detailed interviews to probe issues identified in the survey.

Using the consultant's final report, DEQ and the two advisory groups met five times in mid-2000 to identify areas for improvement and to develop potential actions to address them. In October, the Environmental Cleanup Advisory Committee produced a prioritized list of recommendations, which fell into three general categories:

- Technical issues, such as reviewing the use of institutional or engineering controls and posting key project documents on DEQ's web site

- Improving communications between DEQ project managers and program participants, including clarifying expectations when participants enter the program

- Procedural improvements, such as improving how DEQ provides oversight cost and time frame estimates, improving invoice content and format, evaluating ways to provide expedited service

Cleanup staff are developing an implementation plan for each of the recommendations. Some may take time to complete, but others may be completed fairly quickly. For example, all DEQ project management staff have received the first phase of training to improve communications. In addition, DEQ has developed a more detailed invoice, which provides more information about the nature of DEQ oversight and related activities. The new detail is expected to be included with invoices in the first part of 2001.

Spill Response and Prevention

DEQ is also leading or participating in a number of efforts aimed at preventing spills and improving preparedness:

- DEQ participated as an ex officio member of the New Carissa Review Committee, appointed by Governor Kitzhaber to study issues related to the grounding of the New Carissa. The group was charged with examining local, state, and volunteer involvement and identifying ways to improve oil spill planning, prevention and response by state and federal agencies. The Committee issued its report to the Governor in June 2000. A number of the committee's recommendations relate to oil spill prevention responsibilities mandated by ORS 468B.395 that DEQ is not adequately funded to carry out, including coordination, training and assistance to other parties involved in oil spill response. DEQ's proposed budget restores staffing to a level that will enable DEQ to address some of the concerns. DEQ's next step is to evaluate the report and develop an implementation plan in conjunction with other parties involved in spill response and prevention. The report is available on DEQ's Cleanup and Spills web page at www.deq.state.or.us/wmc/cleanup/clean.htm.

- DEQ is an active member of several Pacific Northwest groups that meet to exchange information, develop response plans, and coordinate resources. They include:

    - The Northwest Area Committee, formed as a result of the federal Oil Pollution Act of 1990 and which includes state and federal environmental and response organizations, is responsible for maintaining the Northwest Geographic Response Plans. These documents form the state's oil and hazardous material contingency plans for its navigable waterways – coastal areas and most of the Columbia River.

    - Among the activities of the States/British Columbia Oil Spill Task Force are researching the potential for a west coast traffic plan that would move non-tanker vessels farther away from the shoreline.

Heating Oil Tank Cleanups

House Bill 3107, enacted by the 1999 Legislature, privatized heating oil tank cleanup approvals. By February 17, 2000, the Department had completed rulemaking to implement the new law. Rule revisions created standards for voluntarily decommissioned heating oil tanks and established completely new requirements for service providers and supervisors. Under this new program, service providers, not the Department, certify when a cleanup or decommissioning project has met regulatory requirements. The report is registered with the Department for a $50 filing fee. The Department then inspects the service providers to ensure they are certifying projects correctly. New license fees were also set in statute at $750 per year for companies and $150 every two years for supervisors. Companies are required to maintain professional liability insurance to cover any instances where the Department rejects a cleanup project that the company certified as meeting all cleanup requirements

Major Projects and Initiatives

Portland Harbor

Portland Harbor, the segment of the lower Willamette River between Sauvie and Swan Islands, continues to be a significant focus of DEQ's cleanup activities. The Environmental Protection Agency first considered declaring the harbor a Superfund site based on the findings of a 1997 joint DEQ-EPA study that found high concentrations of toxic materials, including metals and the pesticide DDT. DEQ worked for more than two years to bring interested parties together to craft a solution that would defer a Superfund listing and allow cleanup to be carried out under the state's cleanup authorities and management. Although the plan to address investigation and cleanup was strong, federal natural resource agencies and interested tribes ultimately were unable to sign agreements with public and private entities doing business in the harbor that would protect their ability to file natural resource damage claims for damage caused by contamination. EPA took final action to add Portland Harbor to the National Priorities List, or Superfund, in December 2000.

EPA will now take the lead role in negotiating with responsible parties for investigation and cleanup of contamination in the river. DEQ will continue its lead in regulating investigation and cleanup at the "upland" sites along the river, using its authority under state environmental cleanup laws. DEQ will also be responsible for coordinating the Harbor work with critical existing state initiatives, such as the Oregon Plan and other efforts to meet clean water and endangered species goals. The project will be directed by a joint EPA and DEQ project team. DEQ will provide technical support, assistance in implementing the public involvement activities, and coordination with interested tribes and natural resource trustee agencies.

New Carissa

In addition to participating in the Governor's New Carissa Review Committee to identify areas of improvement, DEQ has also continued to be involved in issues related to the vessel grounding itself.

A major responsibility is natural resource damage assessment (NRDA). NRDA is the federally mandated process of evaluating the injuries to natural resources

Current Cleanup Projects

Portland areawide investigation and cleanup. DEQ continues to work in two areas of metropolitan Portland where contamination from multiple sites has affected a broad area. In both cases DEQ is working with the City of Portland and multiple property owners to identify the sources and begin cleanup efforts.

- One project focuses on the contaminated sediments along the 30-mile long **Columbia Slough**. Many of the contaminants in the Slough are persistent and tend to bioaccumulate. Investigations are underway at 35 facilities along the Slough that have been identified as high or medium priority for further investigation. The Department is requesting that the City undertake interim action, combining aggressive storm water control and monitoring, verification of contaminant modeling results, and further evaluation of sediment remediation alternatives identified for the Buffalo Slough section.
- At Portland's **Columbia South Shore Wellfield**, DEQ is partnering with the City to address the threat of solvent contamination to the backup water supply. Responsible parties are working on several high priority sites in the area. DEQ is using orphan site funds to perform additional site assessment activities and to coordinate work with the City. DEQ and the City are working on a process to expedite site discovery, interim removals, actions to contain the contamination hydraulically, and final remedies.

Coos Bay. In December, 1998, the EPA agreed to allow DEQ to continue its state-led cleanup effort, rather than place Coos Bay on the Superfund List. EPA determined that three sites have polluted the area with a variety of contaminants that threaten the bay's aquatic resources. DEQ is cleaning up one of the sites, **Mid-Coast Marine**, a former marine construction and repair operation, with state orphan site funds. DEQ's contractor has removed contaminated soils and sediments containing tributyltin, which poses a continuing threat to both the fishing and shellfish industries and to marine life in the bay. DEQ is currently evaluating the human health and ecological risk of the residual contamination. Responsible parties at the other two shipyards are working under consent orders requiring them to address existing contamination and implement practices to prevent future recontamination of the shipyards and the surrounding area.

from an incident such as the New Carissa, and determining what action is necessary to return the resources to their baseline condition and to "make the environment and public whole for interim losses." Once determined, these claims are presented, on behalf of the public, to the party responsible for the incident. Natural resource damage assessments are carried out by natural resource trustees. DEQ and the Oregon Department of Fish and Wildlife represent state interests, and other trustees include affected Native American Tribes and several federal natural resource agencies. In March 2000, the trustees for the New Carissa incident published the Interim Preassessment Report, which documents natural resource injuries so that the trustees can make decisions on how to proceed with injury quantification and restoration planning. At the time of the report, studies were continuing to assess and quantify bird injuries. The Seabird Injury Report is nearly finalized and the wildlife trustees have initiated restoration planning.

In addition, DEQ has continued to be involved in efforts to remove the ship's wreckage in support of the Division of State Lands, the lead agency for this activity. Since the unsuccessful removal effort in the fall of 1999, the ship's representatives have continued to study conditions and methods for removal.

Brownfields

DEQ seeks to encourage cleanup and reuse of brownfield sites, throughout its assessment and cleanup activities. In addition, DEQ supports a number of brownfield-specific activities, such as:

- **EPA "targeted brownfield assessment" grants** pay for DEQ to conduct site assessments at government-owned properties and private property where the redevelopment plans promise significant public benefits. To date, DEQ has used these funds to complete eight assessments in seven cities: White City, Nyssa (two separate assessments), Falls City, Corvallis, Harlan, Portland and Lime.

- Both the Oregon Economic and Community Development Department (OECDD) and Portland Development Commission have received grants from EPA to capitalize **Brownfield Cleanup Revolving Loan funds**. DEQ will be working with both organizations to provide the environmental oversight required to ensure the cleanups meet federal standards. Loans will be available to both public and private parties to assist with either investigation or cleanup.

- DEQ and OECDD work together in other ways to provide assistance so that individuals can return brownfields to productivity. In particular, DEQ will be assisting in technical matters as OECDD begins making loans from its recently funded **Oregon Brownfield Revolving Loan Fund**. This state-funded program cannot currently make loans for actual cleanup, but rather is limited to site investigation. Proposed legislation would expand the use of funds to include cleanup, and allow for grants in addition to loans, where appropriate. DEQ and OECDD also team up on individual projects to help communities address environmental and redevelopment needs.

Targeted Brownfield Assessments

Targeted brownfield assessment funding was a key component in the completion of a mixed use redevelopment in the Sellwood area of Portland. Funds were used to conduct further investigation at the **former Rose City Plating site**, where orphan site funds had been used to remove toxic metal plating wastes from the abandoned site. The investigation provided sufficient information for the developer to proceed with final cleanup and redevelopment under a prospective purchaser agreement. The site will house a community center, including a branch library, retail and residential units.

The **Benton County Auto Wreckers project, in Corvallis,** is an excellent example of what can happen when private companies and government agencies work together. Benton County acquired this site, which was contaminated with oil, gas and metal, including lead, through tax foreclosure. DEQ conducted an EPA-funded targeted brownfield assessment to provide the county with information to successfully market the property. A developer specializing in brownfield redevelopment negotiated a prospective purchaser agreement with DEQ, which called for cleaning up known contamination. The developer also worked with the City on zoning amendments to permit construction of high-density residential units at the site.

- More than 80 people attended the **2nd Annual Rural Brownfields Conference** in Bend, which focused on brownfields issues affecting the state's rural areas. The conference was a joint effort of DEQ, OECDD, and two other organizations, Technical Assistance to Brownfields Communities (at Oregon State University) and Environmental Strategies.

- DEQ supports the **federal brownfields tax incentive**, by serving as the state agency certifying property eligibility. Three taxpayers have requested certification since the provision became effective in 1997.

Recent Brownfield Cleanup and Redevelopment Projects

Mill Pond Village, Astoria. A dedication ceremony in April 1999 celebrated the transformation of the abandoned Astoria Plywood Mill into a mixed retail and residential development-in-progress. Although DEQ used orphan site funds to address the worst of the many environmental concerns at the site, the City of Astoria was eager to complete the cleanup so that the prime riverfront property could be reused. The City and DEQ negotiated a prospective purchaser agreement, in which each paid for half of the cleanup. With help from others, including the Oregon Mill Site Conversion Program and Shore Bank Pacific, Astoria was able to complete a deal for a developer to purchase and redevelop the site.

Tri-County Service District Wastewater Treatment, Oregon City. To enable expansion of its wastewater treatment facility onto a neighboring property, the Tri-County Service District has entered into a prospective purchaser agreement with DEQ. The property was an unpermitted solid waste landfill in the 1960s and is also contaminated with gasoline. In exchange for a release from further cleanup liability, the PPA provides $2 million towards cleanup, which includes capping the landfill and removing gasoline-contaminated soil. Any funds remaining after cleanup are pledged to regional groundwater cleanup.

The Yards at Union Station, Portland. This project was the winner of the national Phoenix Award, which recognizes excellence in brownfield redevelopment. The Portland Development Commission purchased the site as part of the City's plan to devote underutilized parts of the central city into high-density mixed use redevelopment. Investigation prior to building revealed contamination from almost 100 years of use as a rail yard. The remedy included soil removal, capping the site and a deed restriction. The redevelopment, which provides housing for almost 1,000 residents, was financed by a creative mix, including loans, developer equity, tax-exempt bonds, tax abatements and credits, and tax increment financing.

River Bend Development, Bend. This former sawmill operation operated on a 250-acre site on the Deschutes River south of Bend's downtown until 1994, leaving a variety of contaminants from the wood-treating process. DEQ worked with the developer to perform cleanup in phases that suited the timing of the development. The site now boasts 15 businesses which will eventually employ 2,000 people. The mixed commercial/residential development is still in progress.

Peterson's Furniture Store, Ontario. Three new buildings – home to a bank, insurance agency and restaurant – have gone up in downtown Ontario on the site of a former furniture store that was vacant for 11 years due to low-level groundwater contamination. Under a prospective purchaser agreement, the new owner not only created new jobs, but also reimbursed DEQ for past oversight costs, and performed additional required cleanup work, including installation of monitoring wells, additional sampling and assessing the risk to human health. In September 2000, DEQ determined that no further action was necessary.

Oakridge Industrial Park, Oakridge. The City and DEQ have been working together since 1995 to create the Oakridge Industrial Park at the site of the former Pope and Talbot Lumber Mill. Parcels of the site are developed only after they receive an NFA from DEQ. DEQ has signed off on 9 of 18 lots to date. In 2000, DEQ used a targeted brownfield assessment grant to assess the remaining lots to determine which of them require additional cleanup.

Vulnerable Areas

As a part of the cleanup program's strategic planning process, DEQ has implemented a new approach to help us prioritize our work. Traditionally, we have looked at individual sites as they were referred to the cleanup program and ranked their priority for further action. The new Vulnerable Areas approach looks at sites statewide based on a number of factors, such as places with a high concentration of domestic or community wells, areas surrounding streams identified under DEQ's water quality rules as "water quality limited" because of the presence of toxic substances, or those with high poverty rates. Focusing our efforts to find, evaluate and clean up sites in these areas helps ensure that we're maximizing protection of human health and the environment.

The Vulnerable Areas approach can affect our work in many ways. For example, one of the Vulnerable Area categories is salmon streams located in historic mining districts. This criterion has led DEQ to partner with several other state and federal agencies (such the Oregon Department of Geology and Mineral Industries and the federal Bureau of Land Management) in a project to prioritize former mine sites for cleanup and environmental restoration. Similarly, site assessment and EPA staff are conducting a joint investigation, funded by EPA, to look at the areawide impacts of mining in the Upper Powder River Basin.

Partnering with others

DEQ strives to take advantage of all available opportunities to partner with others to achieve mutual cleanup and redevelopment goals. In addition to the brownfield and Vulnerable Areas efforts described earlier, other examples include:

- Cleanup staff are participating in the Governor's Community Solutions Teams to assist communities with the cleanup aspects of community improvement. For example, DEQ has initiated a project with the City of Long Creek's Community Solutions Team, in which staff performed a site assessment at a former service station that was a potential impediment to a city project. During the investigation, petroleum was discovered in the abandoned underground storage tanks. In addition to determining the extent of contamination at the site, DEQ used federal grant funds to remove and properly dispose of 4,750 gallons of fuel..

- DEQ staff participated in the City of Newberg's "charrette" to create a plan to address a vacant former auto dealership in Newberg's downtown. The process brought together technical specialists and decision-makers to develop a plan of action, including funding, for investigation, cleanup and redevelopment. The meeting resulted in a plan to go forward with a targeted brownfield assessment and possibly a prospective purchaser agreement.

- DEQ looks for opportunities to reduce costs by combining projects when possible. For example, when DEQ found that the City of Hillsboro was performing work on a lot adjacent to a dry cleaner program site, we were able to coordinate schedules to share the services of one environmental services contractor. A similar situation may be shaping up in Eugene, where a neighboring dry cleaning operation is the possible source of contamination at the site of a planned new library. DEQ staff is coordinating with the City of Eugene and the dry cleaner to develop a remedy, which may be eligible for dry cleaner program funding, to address both sites.

- Much cleanup work in Oregon involves other governmental agencies, including federal units such as the Forest Service and Bureau of Land Management, state agencies like the Oregon Department of Transportation, and Native American tribes. A recent example is a meeting, sponsored by DEQ's Western Region, to bring together ten natural resource trustees to discuss plans and roles for the cleanup of the Formosa Mine orphan site.

Outreach

In many cases, contaminated sites and the adequacy of cleanup plans are, quite understandably, of concern to surrounding communities. DEQ provides information, often working with the responsible parties, through a number of avenues. In addition to providing the required opportunity for public comment on proposed remedies, DEQ holds public meetings to provide information and hear concerns. Written updates are mailed to interested parties and the press and are published on DEQ's web site. Recent examples of sites with a great deal of community interest include: the GAF/Mattel site in Beaverton, the Oregon State Penitentiary in Salem, and Union Pacific Railroad's Eugene Yards, all of which involve solvent contamination in groundwater, and the Weyerhaeuser mill site in Springfield, where pentacholophenol is a potential future threat to drinking water supplies.

DEQ staff use many avenues to convey information about DEQ's cleanup programs in an effort to explain how the cleanup process works, to encourage more cleanups and to offer assistance to interested parties. Much of the outreach is directed to representatives of local government, who may own contaminated property, or whose development efforts may be stymied by contamination at a key piece of property. DEQ's outreach ranges from visits to small town officials to meeting with groups such as the League of Oregon Cities, the Association of Oregon Counties, and the Oregon Public Property Managers Association. It also includes consultation on specific issues. For example, in early 2000, DEQ staff met with a City of Bandon group working on an urban stream restoration project to discuss waste disposal practices related to filling of cranberry bogs.

Outreach also extends to the private sector. In December 2000, DEQ held a conference in Portland for interested parties, to bring them up to date on the latest in cleanup practices, including the Independent Cleanup Pathway. Similar events are planned for other locations in the coming months. Other outreach is more geared to the interests of particular groups. For example, staff gave a presentation to the Eugene Board of Realtors covering the underground storage tank and environmental cleanup programs, prospective purchaser agreements and the other topics of interest.

2001 Budget and Legislative Issues

Marine Oil Spill Program Funding

The oil spill prevention fee structure established in 1991 no longer provides sufficient funding for DEQ to carry out its oil spill preparedness and prevention responsibilities. DEQ is working with the marine industry to develop a plan to generate the necessary revenue by increasing existing fees on commercial vessels and stationary marine facilities. The proposed increases are addressed in legislation (Legislative Concept 936) and in the Governor's Recommended Budget for DEQ. If approved by the Legislature, the additional fees would enable DEQ to retain sufficient staff to carry out statutorily-required spill prevention duties, including contingency plan reviews, to provide clear policies and guidance on response technologies to the marine industry, and to enable staff participation in industry drills and exercises. Without this package, DEQ will not be able to: develop a method for natural resource valuation for use in assessing damage from oil spills; review and revise the Interagency Response Plan for oil spills; sufficiently consult with affected parties about plan revisions; or provide training for implementing the plan.

Spill Prevention and Preparedness Legislation

In addition to the oil spill prevention fee increase, DEQ is also proposing statutory changes to increase both marine and inland spill preparedness and prevention:

- The legislation would include inland liquid petroleum pipelines in oil spill contingency planning and other requirements. Currently three pipelines that could impact major rivers are required by state law to take a number of steps to avoid releases and to minimize damage when leaks occur. A key component is the preparation of contingency plans which, among other things, detail the equipment and trained personnel necessary to respond to potential incidents; state the means to protect the public and fish and wildlife from damage; and list the local resources available to respond along the length of the pipeline. Pipelines regulated by DEQ also conduct spill drills and exercises and conduct risk analyses to decrease the likelihood that a spill will occur. These requirements do not now apply to three other "inland" pipelines, two of which are in Eastern Oregon and another which runs from Portland to Eugene. The legislative proposal would provide protection to these areas as well.

Petroleum Pipeline Contingency Planning

The explosion of the pipeline in Bellingham, Washington in June, 1999, provided a tragic reminder of the need for pipeline safety. Oregon has had two near-misses within the last two years, both involving the pipeline from Northwest Portland to Eugene. In 1999, 11,000 gallons were released from the pipeline in Washington County. More recently, in July 2000, the pipeline was fractured by a large piece of earth-moving equipment at a gravel pit near Sherwood. An estimated 20,000 gallons of diesel fuel was released.

Both spills were caused by third parties who were not aware of the pipeline's location. Although no one was injured in these incidents and DEQ staff coordinated with contractors hired by the responsible parties to ensure appropriate action was taken, pipeline contingency plans would have improved the response. We were not as lucky when an earlier spill, also caused by a third party, occurred in Salem at Mill Creek during salmon migration season.

- The proposed legislation also contains a provision to evaluate methods to reduce spills at inland facilities storing oil and hazardous materials. The intent is to prevent spills like the recent sulfuric acid spill into Pringle Creek in Salem. (see page 3)

- Finally, proposed financial assurance requirements would amend the liability provisions of ORS 468B to include removal of shipwrecks and ship debris, including costs incurred by the state. The bill would also consolidate statutes governing financial responsibility for vessel spills.

Orphan Site Program Funding

Cleanups of industrial orphan sites are financed through the sale of long-term bonds. Bonds are issued each biennium to provide funding for cleanups in that period. Since 1995, state general funds and lottery revenues have been appropriated each year to finance the bonds. Because general fund availability is currently limited, the Governor's Proposed Budget for 2001-03 proposes to continue funding orphan cleanups, but without a current general fund appropriation. This is accomplished by deferring the bond sale until late in the biennium, so that the amount of debt that has to be repaid in the biennium is minimized. The reduced debt service is financed with DEQ available revenues. Deferral is possible because of significant cost recoveries of orphan site funds previously expended. The plan enables DEQ to continue to perform cleanup at the state's highest environmental priority sites. However, the available funds will only cover debt service for the 2001-03 biennium and additional funding will be needed to meet bond obligations in subsequent years.

Dry Cleaner Program Funding

The availability of the dry cleaner fund has enabled DEQ to work with dry cleaners to reduce the risk of future releases of dry cleaner solvent and to investigate and clean up more sites than would

otherwise have been possible. However, the funding mechanism for the dry cleaner fund has consistently failed to generate the $1 million a year anticipated when the program was established in 1995. In spite of a provision in the law that raises the solvent fee substantially each year if revenue does not reach the $1 million target, only about $750,000 is collected a year.

Heating Oil Tank Program Funding

The 1999 Legislature passed HB3107, requiring DEQ to adopt a program to regulate the voluntary decommissioning of heating oil tanks and the cleanup of heating oil leaks. Funding for 4.0 FTE was provided from a mix of General Fund and a license fee on heating oil tank cleanup/ decommissioning contractors (70) and supervisors (260), plus a $50 filing fee for each report submitted to DEQ. Rule changes were effective March 2000. DEQ projects more than 2,500 releases for calendar year 2000, an increase of more than 40% over 1999. This is a significant increase in workload over what was anticipated when the program was established in 1999, and which the revenue generated by the $50 fee does not support. DEQ proposes to raise the filing fee from $50 to $100. Without additional revenue, 1.5 of the 4.0 FTE needed to maintain the program as originally approved will be eliminated. Without a fee increase, the heating oil tank program would quickly be overcome by the number of leak reports. DEQ would not have adequate staff to review reports or perform inspections. The Department's ability to provide an environmental benefit, consumer protection and technical assistance would be severely reduced. Complaints about response time would increase and property transactions would be delayed.

Funding for Underground Tank Leak Protection

Oregon gas station owners and the State invested significant resources over the last decade to upgrade tanks so they do not leak. To protect this important infrastructure, DEQ's budget and associated legislation (Legislative Concept 340-5) propose to increase tank permit fees from the current level of $60 to $120 per tank per year. Higher fees, together with federal grant funding, will support 10 FTE. Staffing at this level will permit tank inspections every three years and enable DEQ to provide technical assistance to tank owners as needed. These activities are not part of the UST cleanup program, but rather prevent future releases by ensuring proper tank system operation.

The Governor's proposed budget for the environmental cleanup and spills programs for the 2001-2003 biennium is shown on page 18.

DEQ's Progress in Site Cleanup

Sites with a release of hazardous substance or those suspected of being contaminated move through several stages of investigation and cleanup, which are described below. The chart on the next page reports the of number sites that have completed each of the stages in the past fiscal year, as required by cleanup statute. The number of phases initiated is also shown.

Sites added to DEQ's Environmental Cleanup Site Information (ECSI) database are first **screened**, or evaluated, based on readily available information, to determine the site's priority for further investigation. If warranted, many sites then undergo additional analysis called a **preliminary assessment**. Sometimes this investigation is all that is necessary to determine that the site does not pose significant risk. Sites with significant contamination go through the entire process, starting with a **remedial investigation**, involving sampling and site characterization, and feasibility study to evaluate cleanup options. Once a proposed cleanup alternative is approved by DEQ's director, the cleanup method is fully planned in a **remedial design**. The phase where cleanup is carried out, which in some cases takes many years, is called **remedial action**. At a number of sites, interim cleanup actions may be taken prior to full investigation and design, in order to protect people and/or the environment from immediate threats. This is known as a **removal action**. A site receives a **No Further Action (NFA)** designation when DEQ determines that it poses no significant threat to human health or the environment.

For More Information

To obtain additional copies of this report, or for additional information about DEQ's cleanup programs, contact:

Address: Environmental Cleanup Division
811 SW Sixth Avenue
Portland, OR 97204
Telephone: (503) 229-5913

Or visit our web site at www.deq.state.or.us/wmc/cleanup/clean.htm

Cleanup Phases Completed and Initiated
Actual and Projected, July, 1999 – June, 2001

	Completed		Initiated	
Actions	**7/99-6/00**	**Projected 7/00-6/01**	**7/99-6/00**	**Projected 7/00-6/01**
Suspected Releases Added to Database	166	165	NA	NA
Added to Confirmed Release List	48	50	NA	NA
Added to Inventory	26	30	NA	NA
Site Screenings	144	165	155	165
Preliminary Assessments	97	100	93	100
Voluntary Cleanup				
Removal Actions	16	18	18	18
Remedial Investigations	23	2325	16	25
Feasibility Studies	8	8	9	9
Remedial Designs	2	2	4	4
Remedial Actions	11	10	13	12
No Further Action Determinations*	52	56	NA	NA
Site Response				
Removal Actions	13	22	20	22
Remedial Investigations	4	15	12	10
Feasibility Studies	4	11	6	12
Remedial Design	2	4	3	3
Remedial Actions	0	4	4	3
No Further Action Determinations	5	10	NA	NA
Underground Tanks				
Regulated Tank Releases Reported	284	200	NA	NA
Regulated Tank Cleanups	354	500	245	400
Heating Oil Releases Reported	1975	2400	NA	NA
Heating Oil Tank Cleanups	1505	1800	1924	2000

* Includes “conditional NFAs,” where contamination is left in place, but controls are in place to prevent exposure.

Notes:

- Since the beginning of program operations, 28 sites have been removed from the Confirmed Release List and 18 from the Inventory.
- Site Response actions include cleanups that are not "enforcement" sites under a consent order; these include those financed by the dry cleaner fund and orphan site cleanups.

Legislatively Adopted Budget
1999-2001
(Dollars in millions)

Activity	Funding Sources	Budget*
Environmental Cleanup (excluding USTs)		
Enforcement and voluntary sites, program management	HSRAF[3] (including cost recoveries), EPA grants	16.6
Orphan cleanups	Industrial Orphan Site Account	10.0
McCormick & Baxter Superfund site	Federal Superfund	8.2
Dry cleaner cleanups[4]	Dry Cleaner Fund	2.0
	100.3 FTE	$ 36.8
Underground Storage Tank Cleanups		
Regulated tank cleanups	Federal grant, cost recoveries, HSRAF (grant match only)	3.4
Heating oil tank cleanup and decommissioning	Contractor licensing, tank owner certification fees	.6
	25.2 FTE	$4.0
Spill Management		
Spill Response	General Fund, cost recoveries, EPA grant funds	1.0
Highway Spills	Petroleum Load Fee	.2
Drug Lab Cleanups	Asset forfeitures, cost recoveries, law enforcement agency reimbursements	.4
Oil spill prevention, preparedness	Marine vessel & facility fees	.6
	10.5 FTE	$2.2
Cleanup Total	**136.0 FTE**	**$ 43.0**

* Does not include agency indirect charges.

[3] Hazardous Substance Remedial Action Fund
[4] Includes hazardous waste minimization component of program