

BROWNFIELDS – PART OF OREGON DEQ’S CLEANUP PROGRAM

4/2/15 briefing for House Energy & Environment Committee

Rep. Jessica Vega Pederson, Chair

What is a Brownfield? – Some people use the term “Brownfield” to describe **any** site contaminated with hazardous substances – such as industrial sites, dry cleaners, abandoned gas stations.

Generally recognized brownfield definition: “A vacant or underused property where actual *or perceived* contamination is complicating the property’s expansion or reuse.”

Four Elements of a Brownfield Project:

1. Vacant, underused, or blighted property.
2. Known or perceived contamination.
3. Cooperative and engaged property owner.
4. A plan or vision for reuse, preferably with community input.

DEQ’s General Tools for Investigating & Cleaning Up Brownfields

- Voluntary Cleanup Program
 - Traditional Voluntary Cleanup Program (VCP)
 - Independent Cleanup Pathway (ICP)
- Site Response Program (enforcement – rarely needed)
- Orphan Program (high priority sites without a viable responsible party)
- Prospective Purchaser Agreements

DEQ has three geographical “regions” and a HQ office, with a brownfield contact in each.

DEQ can provide technical assistance or perform assessments on brownfields – generally those that are publicly owned, or where reuse has a public benefit and no funds are available from site owners or operators. In these cases, a U.S. EPA grant funds DEQ’s work.

HOW DO YOU INVESTIGATE & CLEAN UP A BROWNFIELD SITE?

Cleanup projects involve progressive steps designed to evaluate the nature of contamination and determine what, if any, cleanup is needed. An example of such a sequence:

- a. Phase I Environmental Site Assessment (ESA) – Desktop analysis of site history - and site walkover – used to find any “recognized environmental conditions,” or RECs. Currently, the ASTM 1527-13 standard is the model for these reports. (Potential cost – about \$3,000 to \$6,000.) [Most Phase I ESAs are done independently. In some cases, DEQ can do these with EPA funding.]
- b. Phase II ESA – If a Phase I ESA finds RECs, a Phase II ESA adds soil and groundwater sampling to determine if a release has occurred, and if so, to estimate the magnitude. A Phase II investigation is usually not comprehensive. (Potential cost – about \$20,000 -

\$50,000.) [In some cases, DEQ can do these with EPA funding, or EPA's contractors can do the work.]

- c. Remedial Investigation (RI) – An extensive soil and groundwater investigation (also possibly surface waters and sediments). Focus is to define extent and nature of contamination so that a cleanup approach can be developed. Includes a *Risk Assessment* (does site contamination pose risks to humans or ecological species?). Usually done in conjunction with a Feasibility Study. [Business Oregon may be able to offer loans or grants for these.]
- d. Feasibility Study – A technical analysis of cleanup alternatives, including “do nothing,” and a weighing of the alternatives against several “balancing factors” – Effectiveness, Long-Term Reliability, Implementability, Implementation Risk, & Reasonableness of Cost. [Business Oregon may be able to offer loans or grants for these.]
- e. Remedial Action or Removal – Once a remedy is selected, cleanup begins. This can include soil/groundwater removal, soil/groundwater treatment on site, engineering controls (capping, active treatment systems) or institutional controls (land use/deed restrictions). [Business Oregon or DEQ may be able to offer loans or grants for these.]
- f. No Further Action – Once cleanup is complete, DEQ may make a *no further action* (NFA) decision. If engineering or institutional controls are needed to meet cleanup objectives, a “conditional” NFA can be issued – which requires long-term monitoring and evaluation.

Brownfield contacts at DEQ:

HQ (general brownfield coordination) – Gil Wistar, (503) 229-5512

Northwest Region sites (PDX Metro area and NW coast) – Rebecca Wells-Albers, (503) 229-5585

Western Region sites (W of Cascades and S of PDX Metro) – Mary Camarata, (541) 687-7435

Eastern Region sites (east of Cascades) – Katie Robertson, (541) 278-4620

Additional resources:

DEQ fact sheet “*DEQ Cleanup Program Can Assist in Brownfields Site Transactions*”

<http://www.deq.state.or.us/lq/pubs/factsheets/cu/BrownfieldSiteTransactions.pdf> [From 2006, but still relevant]

DEQ web page: “*Liability Management Tools for Buyers of Contaminated Property in Oregon*”

<http://www.deq.state.or.us/lq/cu/ppa/liabilitymanagement.htm>

DEQ web page: “*Key Information about PPAs in Oregon*”

<http://www.deq.state.or.us/lq/cu/ppa/keyinformation.htm>