



Oregon Department of Environmental Quality  
Underground Storage Tank Program

**HEATING OIL TANK REALTOR BULLETIN  
HEATING OIL TANK PROGRAM UPDATE**

March 2007

*Our mission is to be an active leader in restoring, maintaining and enhancing the quality of Oregon's air, water and land.*

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### Administrative Items

1) The HOT Program is only able to accept cash, checks or money orders because we don't have a credit/debit card machine or the required bank coordination. Closure letter or file review payments must be received by DEQ either prior to sending documents or at the time of office pick-up.

2) DEQ cannot recommend specific HOT Service Providers or Utility Locators.

3) DEQ does not issue permits. Portland Maps may show that a permit had been issued but permits do not come from DEQ. DEQ only issues closure letters after the site address has been reported, the certified closure report reviewed and the DEQ file officially closed.

4) If the HOT was decommissioned and the homeowner doesn't have the paperwork any longer, the decommission was performed by someone not currently licensed with DEQ, or the decommission does not meet current requirements, a DEQ licensed HOT Service Provider from the current DEQ list must be hired to collect representative soil samples and verify that the tank cleaning and filling was done properly. Only after this verification and HOT Service Provider certification to DEQ can the HOT decommission be voluntarily registered with DEQ and assigned an HOTD number.

5) The HOT Decommissioning database (HOTD) is estimated to be externally available in Spring 2007. We'll send an email to the Realtor's email group when this occurs.

### **Potential HOT Cleanup / Voluntary Decommissioning Registration Fee Increase**

DEPARTMENT OF ENVIRONMENTAL QUALITY – Heating Oil Tank Program

1550 NW Eastman Pkwy, #290 • GRESHAM, OREGON 97030

503-667-8414 • 800-742-7878 • 503-229-6993 TTY

<http://www.deq.state.or.us/lq/tanks/hot/index.htm>



The HOT Program Legislative Concept (Senate Bill 106) includes a proposed fee increase to a cleanup registration fee of \$200 and a voluntary decommissioning fee registration fee of \$75. The earliest the fee increase would take effect would be July 2007, possibly later depending on when final bill approval is granted.

The registration fee required from the Responsible Party will be based upon when the final certified closure report is received by DEQ, not when the work was physically completed or when the certified report / certification page is dated.

### **DEQ Statements Regarding Database Query Results**

When the DEQ staff queries the LUST database and HOT Decommissioning databases and no tank is found, that does not mean there is no tank on the property. What it does mean is that these two DEQ databases do not have anything either reported on or registered to that specific address as queried. Multiplex addresses can be entered into the system several ways, depending on how the release or registration was reported to DEQ.

If you have concerns, a utility locate is the only way to evaluate the property for the physical presence of underground storage tanks. A list of utility locators can be found in the yellow pages.

### **NW Natural Incentive**

If your clients are pursuing an oil to gas furnace transition, the following may apply:

The NW Natural "Comfort Zone" Newsletter, Issue One 2007, stated "Free Gas This Winter and up to \$1,050 in incentives too. Right now when you schedule an in-home evaluation of your home heating system with one of our participating contractors, you could be eligible to win one of five \$500 credits on your NW Natural account. After the consultation, if you upgrade to a 90% or higher efficiency ECM furnace with a variable speed motor, you could also be eligible for \$550 in additional incentives – that adds up to a possible savings of \$1,050. Why wait? This offer expires April 30, 2007. For more details visit [mywinteroffer.com](http://mywinteroffer.com) or call 800.927.6123."

### **Lab Results and Chains of Custody**

Once a HOT Service Provider has received payment from their customer, the paying customer should be provided the complete lab data (both the lab results and chain(s) of custody). This DEQ expectation applies only to the paying customer, not to other parties.

## **Leaking Tank Owner Responsibility**

DEQ considers whoever owns the property when contamination is identified as the Responsible Party, i.e. the one responsible for ensuring cleanup is completed to DEQ standards. If this identification occurs as part of a property transaction, DEQ continues to consider the original owner as responsible for the cleanup.

The DEQ file remains open until DEQ has received the certified final closure report from either a DEQ licensed HOT Service Provider or, if the homeowner physically performed the work, the homeowner. If no anomalies are apparent in the certified closure report, then the DEQ file is closed. If there are identified discrepancies, the file will remain open until the discrepancies are adequately addressed. OAR 340-163-0070 (5) places the responsibility for any additional work resulting from the rejection of a service provider's certified report on the service provider or its insurer, not the property owner.

## **DEQ Website Changes**

On December 21, 2006, The DEQ website was changed to comply with statewide requirements. This has resulted in a change of web addresses. A list of updated beneficial links is included below:

### **HOT Weblinks:**

Basic DEQ Information – <http://www.oregon.gov/DEQ/>

Basic Tank Information – <http://www.deq.state.or.us/lq/tanks/index.htm>

Basic Homeowner HOT Program Information –  
<http://www.deq.state.or.us/lq/tanks/hot/homeowners.htm>

Basic HOT Service Provider Information -  
<http://www.deq.state.or.us/lq/tanks/hot/serviceproviders.htm>

HOT Frequently Asked Questions (FAQs) –  
<http://www.deq.state.or.us/lq/tanks/hot/homeownersfaq.htm>

HOT Average Costs – <http://www.deq.state.or.us/lq/tanks/hot/contractorsfaq.htm#C1>

Currently Licensed HOT Service Providers –  
<http://www.deq.state.or.us/lq/pubs/docs/tanks/hot/LicensedServiceProviders.pdf>

Contractor and Homeowner Decommission Report Preparation Guidance –  
<http://www.deq.state.or.us/lq/pubs/docs/tanks/hot/HOTDecommissioningReport.pdf>

Contractor and Homeowner Soil Matrix Report Preparation Guidance –  
<http://www.deq.state.or.us/lq/pubs/docs/tanks/hot/HOTSoilMatrixCleanupReport.pdf>

Homeowner Decommissioning Guidance –

<http://www.deq.state.or.us/lq/pubs/docs/tanks/hot/DecommissioningGuidanceforHomeowners.pdf>

Homeowner Cleanup Guidance –

<http://www.deq.state.or.us/lq/pubs/docs/tanks/hot/CleanupGuidanceforHomeowners.pdf>

Final Heating Oil Cleanup Report Form –

<http://www.deq.state.or.us/lq/pubs/forms/tanks/hot/HOTFinalHeatingOilCURport.pdf>

Risk-Based Decision Making Guidance Document and associated spreadsheets –  
hyperlinks from <http://www.deq.state.or.us/lq/rbdm.htm>

“Requirements for Heating Oil Tanks No Longer In Use” Fact sheet –

<http://www.deq.state.or.us/lq/pubs/factsheets/tanks/hot/RequirementsHOTNoLongerInUse.pdf>

### **DEQ Database Queries:**

Leaking Underground Storage Tank (LUST) Database –

<http://www.deq.state.or.us/news/databases.htm>

DEQ Facility Profiler – <http://www.deq.state.or.us/news/databases.htm>

Environmental Cleanup Site Information (ECSI) Database –

<http://www.deq.state.or.us/wmc/ECSI/ecsiquery.asp?listtype=ecsilist.asp&listtitle=Environmental+Cleanup+Site%20Information+Database>

Voluntary Decommissioning (HOTD) Database – not yet available, contact the HOT Program at [hotinfo@deq.state.or.us](mailto:hotinfo@deq.state.or.us) or 503-667-8414 x55026

### **Miscellaneous Information:**

EPA Cleanup Guidance – <http://www.clu-in.org/products/citguide/>

EPA DAF document – EPA 1996(b), Table 5 values –

[http://www.epa.gov/superfund/health/conmedia/soil/pdfs/part\\_2.pdf](http://www.epa.gov/superfund/health/conmedia/soil/pdfs/part_2.pdf)

Oregon Revised Statutes (ORS) 466.878 and 466.880 –

<http://landru.leg.state.or.us/ors/466.html>

Septic Systems – contains the rules and information on DEQ licensed installers as well as all the county contact information –

<http://www.deq.state.or.us/wq/onsite/onsite.htm>

Analytical method information/procedures –

<http://www.deq.state.or.us/lab/techrpts/laboratoryAnalyticMethods.htm>

ORELAP information/accredited labs – <http://www.deq.state.or.us/lab/orelap/orelap.htm>

Enforcement information – <http://www.deq.state.or.us/programs/enforcement/intro.htm>

## Questions?

If you have any questions, please access the DEQ tanks website at <http://www.deq.state.or.us/lq/tanks/index.htm>. Persons contacting DEQ via the Internet should use the [contact page](#) feature at the base of the webpage or send us an e-mail at [hotinfo@deq.state.or.us](mailto:hotinfo@deq.state.or.us). Persons wishing to call, write or visit the HOT tank staff should use the following options:

- Call the Northwest Region Office - Eastside, (503) 667-8414. There is not a dedicated receptionist, but the HOT Program extensions are:
  - Ed Druback, Program Manager – 55014
  - Rebecca Wells-Albers, Groundwater and RBC Project Manager – 55025
  - Tim Brown, RBC, GR and Soil Matrix Project Manager – 55011
  - Edie McMorrine, Program Staff Support/Administration– 55026
  - Mary Jane Gilles, Internal Program Staff Support – 55019
- Fax us at (503) 674-5148.
- People with hearing impairments may call DEQ's TTY at (503) 229-5471.
- Write or visit us at:

Oregon DEQ - Northwest Region - Eastside  
Heating Oil Tank Program  
1550 NW Eastman Parkway, Suite 290  
Gresham, OR 97030