

## DEQ Cleanup Program Can Assist in Brownfield Site Transactions

### Introduction

If you're interested in buying, selling or redeveloping a brownfield site in Oregon, you may know that environmental cleanup and liability can pose significant challenges to closing a brownfield deal, especially for large or complex sites with overlapping government jurisdictions. DEQ provides tools to help manage brownfield cleanup and liability, such as:

- *Up-to-date information* about site cleanup and state, federal, and third-party liability.
- *Prospective Purchaser Agreements (PPAs)* to shield buyers from liability in return for actions with "substantial public benefits."
- *Grant assistance* to help define the nature and extent of site contamination, and tips on possible sources of cleanup funding.
- *Seasoned project managers* trained to reach "No Further Action" decisions at least cost.

### Brownfield successes involving DEQ: **Acme Scenic & Design, Portland**

During the 1950s, this site housed an auto manufacturing plant. In 1959, Miller Products Co. acquired the property, erected new buildings and began formulating agricultural chemicals; this continued until 1996, under Chas. Lilly. These operations led to on- and off-site pesticide contamination of soil and groundwater. Since 2002, DEQ has worked with parties responsible for contamination, and a prospective buyer, Acme Scenic & Design, to clean up and prepare the site for reuse. This complex project included: a PPA in which DEQ accepted a volume limit on soil cleanup; use of insurance for off-site contamination; and an approximately \$1 million, low-interest loan for on-site cleanup from the Oregon Department of Economic & Community Development. Acme has begun operations at the site, while exterior cleanup progresses.

### **Independence Library, Independence**

After owners of an old gas station removed their underground storage tanks, contamination was found in an adjacent alley. DEQ helped trace the source to an auto parts store. Interested in a new library, the City of Independence bought both properties, and used \$800,000 in OECD grant/loan funds for demolition and library construction. DEQ negotiated an agreement allowing the grant to incorporate site cleanup into demolition and redevelopment. DEQ also approved foundation work for the new building after a barrier was installed to keep petroleum vapors out of the future library. DEQ then used a formal risk evaluation to determine that no other action was needed to protect human health and the environment. According to City Manager Greg Ellis, "Without facilitation from DEQ, this project would have been difficult, if not impossible, to complete – and certainly not in time for the city's annual Hop & Heritage Festival."

### **Prineville City Hall, Prineville**

In 1997, DEQ began extensive investigation and remediation of petroleum contamination at this areawide site. In 2003, the city of Prineville obtained an EPA grant, and signed a PPA with DEQ to address on-site soil contamination, local groundwater issues, indoor air monitoring/risk concerns, and extraction of benzene vapor from soil. This led to removal of contaminated soil from the site and adjacent property, and removal of benzene vapor from soil near the source area. DEQ determined that remaining levels of benzene posed no risks to future users of the site, as long as local groundwater use and residential use of the site were restricted. Soon after, Prineville built its new City Hall on the site; the building opened in July 2005.

### **For more information, contact:**

[Chuck Harman](#), DEQ/Portland: 503-229-5585  
[Mary Camarata](#), DEQ/Eugene: 541-687-7435  
[Katie Robertson](#), DEQ/Pendleton: 541-278-4620



State of Oregon  
Department of  
Environmental  
Quality

### **Land Quality Division Cleanup Program**

811 SW 6<sup>th</sup> Avenue  
Portland, OR 97204  
Phone: (503) 229-5512  
(800) 452-4011  
Fax: (503) 229-6954  
[www.deq.state.or.us](http://www.deq.state.or.us)



Acme Scenic & Design –  
site cleanup, Sept. 2006



Independence Library



Prineville City Hall

Alternative formats (Braille, large format) of this document can be made available. Contact DEQ Communications & Outreach, Portland, at (503) 229-5696, or call toll-free in Oregon at 1-800-452-4011, x5696.