



# Oregon

Tina Kotek, Governor

## Department of Environmental Quality

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**DATE:** February 16, 2023

**TO:** Senate Committee on Energy and Environment

**FROM:** Abby Boudouris, Senior Legislative Analyst

**SUBJECT:** SB 603 of 2023 Session

The DEQ Environmental Cleanup program protects human health and the environment by identifying, investigating, and remediating sites contaminated with hazardous substances including petroleum. **The program's objective is to improve sites to the point where no further cleanup action is necessary to return them to productive use.** The program works with partners on both small and large contaminated sites through site assessment, site response, cleanup of orphan sites, the voluntary cleanup program and prospective purchaser agreements.

A "brownfield" is generally defined in federal and state law as: real property where expansion or redevelopment is complicated by the actual, potential, or perceived presence of environmental contamination. DEQ can help remove environmental barriers to redevelopment by providing technical assistance and other services to assist parties with investigating, cleaning up, and planning reuse of brownfields. Many federal, state, and local programs also assist with brownfields. More information including funding options and Business Oregon programs can be found on DEQ's website [here](#):

The criteria in Section 2 (2) of SB 630 restricts participation due to the following site-eligibility requirements.

**Section 2(b)(A):** The majority of the proposed development site must be designated by the Department of Environmental Quality as a brownfield site.

The only locations where DEQ specifically designates a site a brownfield is in the ECSI database. In order to be considered a brownfield in the [DEQ ECSI database](#), the site must have:

- Received assistance from DEQ via the 128(a) State Response grant funding for a Site-Specific Assessment, which is a Phase I or Phase II environmental site investigation or technical assistance
- Received assistance from EPA via the competitive 104K grant, Business Oregon (via the three funds available) or an EPA grantee that is providing assistance for the site
- Sites that are considered high-visibility and are in the process of redevelopment and DEQ is peripherally involved or uninvolves

**Section 2(b)(B)(i):** Have a hazardous waste identification number (RCRA Site ID):

Not all brownfields would have a RCRA Site ID, in fact many do not. A RCRA site ID number is required for facilities managing wastes that are regulated under RCRA. [A RCRA Site ID number](#) is assigned by EPA to the address of the physical location for each generator, transporter, and treatment, storage or disposal facility.

**Section 2(B)(ii):** Be included in the Comprehensive Environmental Response, Compensation, and Liability Information System ([CERCLIS](#)) database. Not all brownfields would have a CERCLIS ID, and many do not.

DEQ has no position on the bill.

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