



# Fact Sheet

## Cleanup Program – General Process

Updated March 2025

### Introduction

The [Oregon Department of Environmental Quality's Cleanup Program](#) protects public health and the environment from known or suspected releases of hazardous substances. The Cleanup Program does this by investigating sites known or suspected to be contaminated with hazardous substances, assessing whether they pose an unacceptable risk to people or the environment and, if they do, overseeing contamination cleanup. Cleanup ensures properties become safe for current and likely future use.

This fact sheet intends to provide an overview of the general process the DEQ's Cleanup Program follows to address environmental contamination.

### How the Cleanup Program Works

The following sections provide an overview of the Cleanup Program's process for addressing environmental releases of hazardous substances, from site investigations to risk assessments and cleanup actions. DEQ's authority and processes are based in [Oregon Revised Statute](#) and [Oregon Administrative Rules](#).

### How sites enter the Cleanup Program

Sites enter the Cleanup Program in two ways:

- 1) Proactively, where property owners or operators approach DEQ for a determination that cleanup requirements are satisfactorily addressed at their site.
- 2) Through site discovery, where DEQ learns of potentially contaminated sites through complaints, reports of chemical spills, information shared by other public agencies, or through DEQ staff site assessment activities based on known or suspected historical site uses. The [Site Assessment Program](#) leads site discovery activities.

Most sites [enter the Cleanup Program voluntarily](#), where property owners or operators ask for DEQ oversight of cleanup activities. The goal is, once cleanup is complete, DEQ will issue a No Further Action determination. Banks or other lending institutions often require these determinations before issuing a loan during a property transaction. DEQ can use its enforcement authority at high priority sites where the responsible party(ies) are unwilling to conduct cleanup action, and there is an unacceptable risk to people or the environment.

#### Translation or other formats

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800-452-4011 | TTY: 711 | [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)

Oregon was home to significant industrial activity before environmental regulations. As a result, there are legacy contaminated sites DEQ may not learn about until they enter into the program voluntarily or are uncovered through site discovery. Additionally, new spills still occur as well as new understanding of chemicals and their impact on human health and the environment. Since 1988, DEQ has identified approximately 6,022 contaminated and potentially contaminated sites that need further investigation. This does not include contamination resulting from leaking underground tanks. Information regarding these contaminated sites can be found in [Your DEQ Online](#).

## How DEQ prioritizes sites

A fundamental element of the site discovery and assessment process is determining the priority of a site for cleanup. DEQ primarily considers risk, which is determined by a number of factors including:

- a) How much and how toxic are the contaminants that were released.
- b) Their potential to have contaminated environmental media (soil, groundwater, surface water).
- c) The likelihood that people, animals, or plants are being exposed to released contaminants.

The Cleanup Program also prioritizes sites with property owners who are proactively seeking time-sensitive cleanup work, in many cases to support redevelopment. These are critical to enabling the productive reuse of formerly contaminated properties.

## How DEQ investigates contamination

DEQ screens sites where hazardous substances may have been released to determine the need and assign a priority for further action. Initial assessments, such as records review and limited initial sampling, may be conducted to investigate the presence of contamination and possible risks to people and the environment. If no release or risks are identified, no additional work is required. Under emergency conditions, a removal action may be needed to immediately stabilize the site and prevent further contamination.

Property owners and operators typically hire contractors to do site investigation. All work plans and reports for site investigations must be stamped by a registered geologist or professional engineer licensed to practice in Oregon and submitted to DEQ for review and approval.

## How DEQ determines cleanup actions

To determine if and how a contaminated site should be cleaned up, the program requires additional investigations and evaluations, such as:

- Remedial investigations include extensive sampling plans used to determine the full nature and extent of the contamination.
- Risk assessments take the results of the sampling to evaluate risks to people and the environment. If the site does not pose an unacceptable risk, as [defined in state statute](#), cleanup is not required. In cases where a past release of hazardous substances poses a significant threat to people or the environment, DEQ will require cleanup. Risk assessments can also be used to determine cleanup levels, or contaminant concentrations that should not be exceeded, at a site.
- Feasibility studies evaluate various cleanup options for sites posing unacceptable risk under their risk assessment. DEQ evaluates and selects a cleanup approach based on the [following criteria](#): effectiveness, implementability, long-term reliability, implementation risk, and reasonableness of cost. There are [additional best practices for the type of cleanup](#) DEQ considers.

## How cleanup is conducted

All cleanup work DEQ approves ensures protection of people and the environment. For complex cleanup actions, DEQ may issue a formal cleanup plan called a record of decision, which includes a public involvement process. Typical cleanup actions include:

- Removing or treating the contamination to physically remove or reduce contamination.
- Engineering controls, such as capping, to isolate the contamination.
- Institutional controls, such as deed restrictions, to limit future activities at the site.

Typically, the property owner agrees to accept and maintain institutional and engineering controls through an agreement with DEQ called an easement and equitable servitude, which is a deed restriction. The deed restriction is registered with the county recorder and applies to future property owners.

## No Further Action

A site receives a [No Further Action designation](#) when DEQ determines that the site poses no unacceptable risk to people or the environment. This designation means DEQ will not require additional cleanup action, based on the current knowledge of site conditions. DEQ can also issue a conditional No Further Action determination when the agency is implementing additional conditions, like deed restrictions.

These determinations are not forever. DEQ may reopen a site with a No Further Action determination if new information indicates the site is no longer protective. Reopening a site is rare. However, if new information indicates there is a risk to human health, DEQ may reopen the site and require additional work. A property owner or operator may also elect to reopen a site and perform additional work to remove conditions in a No Further Action determination.

## Additional information

The [Cleanup Program](#) has many different subprograms including [Site Assessment](#), [Brownfields](#), [Voluntary Cleanup](#), [Industrial Orphan](#), [Prospective Purchaser Agreements](#), [Leaking Underground Storage Tanks](#), and [Heating Oil Tanks](#). More detailed information on these subprograms and their specific processes are available on [DEQ's website](#).

## Non-discrimination statement

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