



# McCormick and Baxter

## Community Information Webinar #2

### DEQ Cleanup Program

May 8, 2025

# Asking a question or providing input

- You should see the following along the bottom of your screen.



- To speak: Raise your hand and the host will un-mute you. (\*9 if you're on the phone)
- To ask a question: Either raise your hand or type it into the Q&A
- Use chat to share your input if you prefer to do so in writing, or if you're having technical difficulties.

# Agenda

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## What we will discuss this evening

Introductions

DEQ presentation – background, cleanup, PPA process, outreach

Portland Botanical Gardens presentation

Questions and Feedback



# DEQ staff introductions

Michael Loch

Annie Rohlf

Kevin Parrett

Sarah Miller

Lorenzo Danielson



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# BACKGROUND



# Wood treating: 1944 – 1991



**McCORMICK  
& BAXTER**  
CREOSOTING CO.

**PRESERVATIVES:**

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**PENTA IN OIL**  
A frequently used treatment for utility poles, crossarms and timbers.

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**CELLON®**  
Penta in liquified petroleum gas for maximum penetration in woods with hard heartwood.

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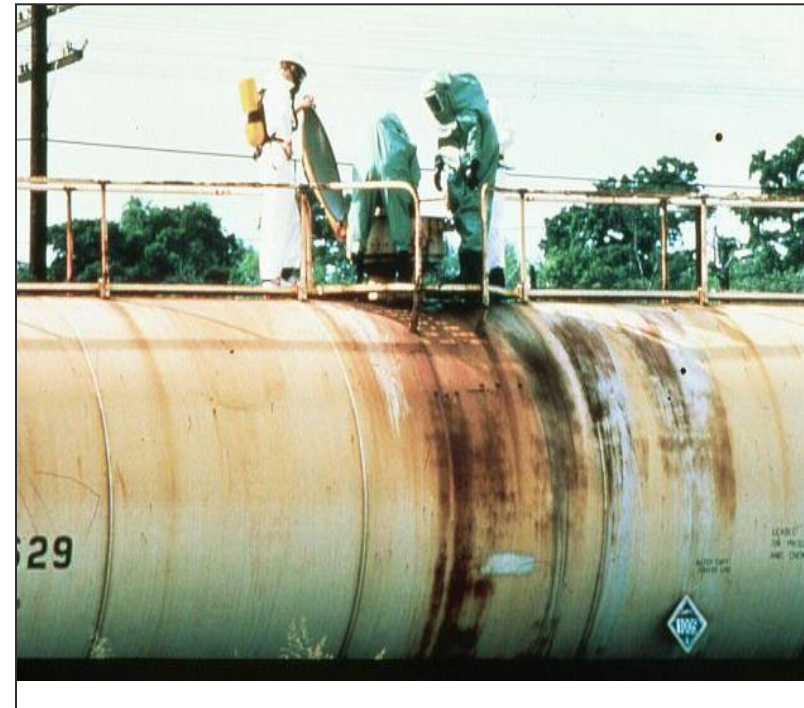
**CREOSOTE**  
Excellent treatment for poles subject to environmental extremes.

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**CHEMONITE®**  
A copper-based treatment excellent for extreme conditions. Penetrates deeply into hard-to-treat woods such as Douglas Fir.



# Cleanup actions: 1991 – 2005





# Ready for reuse:

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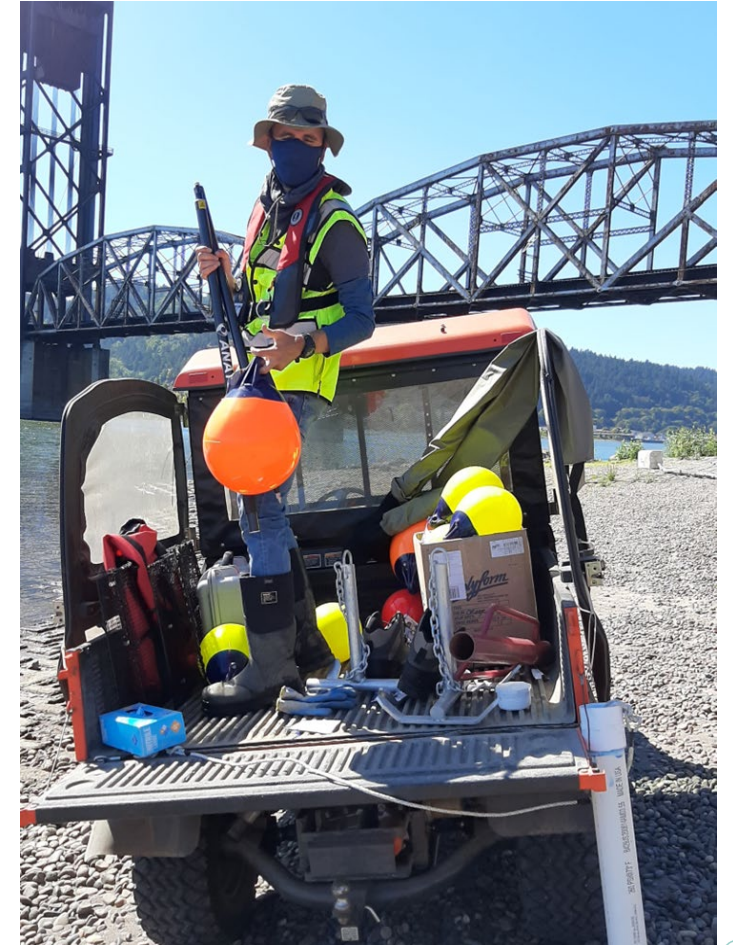
## 2005 and Counting





# Five Year Review

- Five previous Five Year Reviews since 2001
- 2021: Last Five Year Review – remedy protective
- 2025: Data collection
- Fall 2026: Next Five Year Review issued





# Examples of brownfield sites

- Cully Park
- The Fields Park
- 'Alamo' Site near South Waterfront





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# Prospective Purchaser Agreement



# PPA program

ORS 465.327(1): In order to facilitate cleanup and reuse of contaminated property, the Department of Environmental Quality may... provide a party with a release of liability..." (emphasis added)

**Liability  
Protection**

In Exchange for

**Substantial  
Public Benefit**





# PPA process

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1. Initial Applicant Meeting
2. DEQ Due Diligence (ongoing process)
  - a) Develop Term Sheet, etc.
3. Tribal Engagement
4. Community Engagement
5. Synthesize Tribal and Community Input
  - a) Inform Tribal and Community Members of DEQs evaluation of public engagement input
6. Negotiate Terms of PPA with Applicant
7. **If DEQ is able to negotiate a PPA, go out for formal comment**
  - a) Consider and respond to comments received
8. If comments have not altered DEQ's analysis of the project, finalize and issue PPA



# Why are we here?

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- More than \$70M spent by DEQ and EPA on cleanup
- A Prospective Purchaser Agreement is required by DEQ
- Reuse must produce “Substantial Public Benefit”
- DEQ is seeking Tribal and community input as we continue discussions





# Prospective purchaser: June 2024



## *Vision for the Garden*

*PBG envisions a centrally located garden with pathways, pavilions, and greenhouses, highlighting Northwest plant diversity and educational opportunities for research and vocational training.*





# Financial considerations

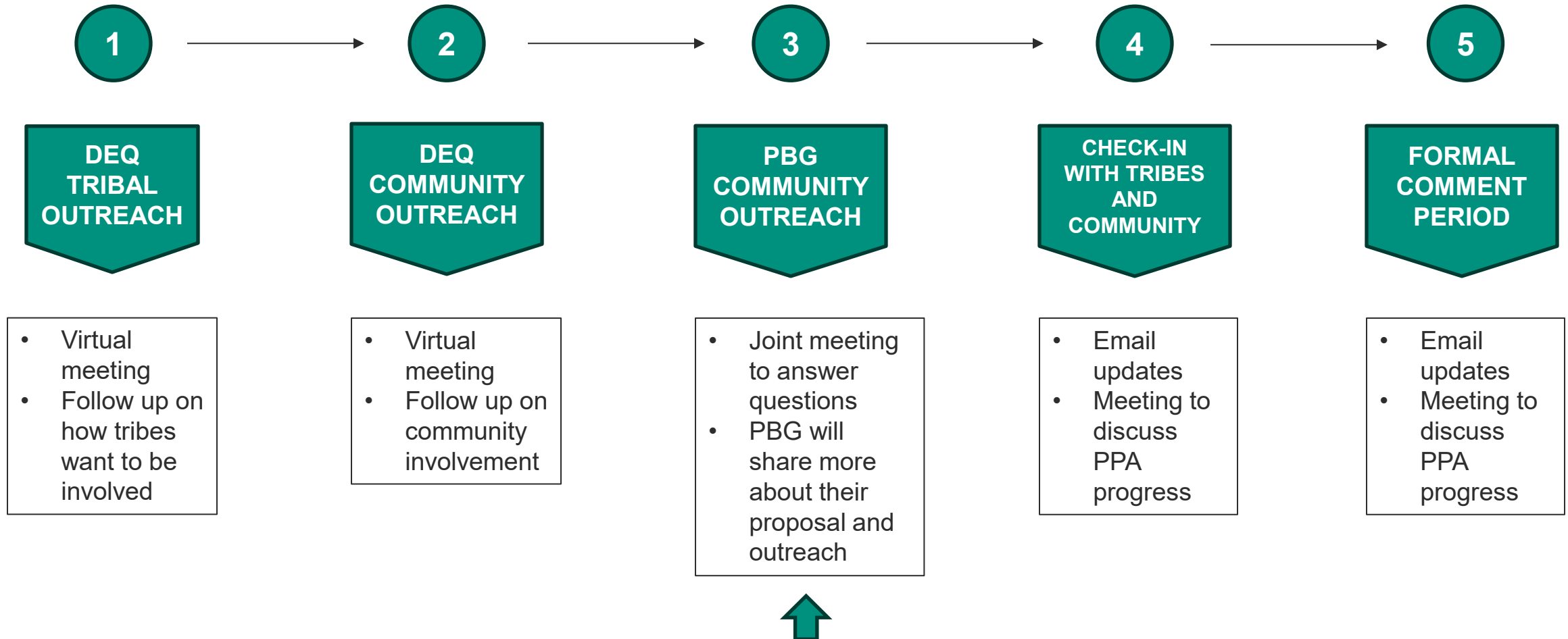
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- 1. Financial Assurance:** DEQ will determine a specific amount to ensure PBG has enough money to address any damage to the cap or other remedial items.
- 2. Financial Ability:** DEQ will determine a specific amount that will be required to demonstrate that PBG has the funding necessary to purchase and develop the site as proposed.

\*Both amounts will be determined prior to the formal comment period.



# Tribal and community input



# Tribal outreach

1. Initiated outreach
2. Webinar #1
3. Webinar #2
4. Follow up with individual Tribes

Confederated Tribes of Yakama

Confederated Tribes of Warm Springs

Confederated Tribes of Grand Ronde

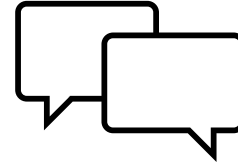
Confederated Tribes of Siletz Indians

Confederated Tribes of the Umatilla Indian Reservation

Nez Perce Tribe



# How to provide feedback



- DEQ is accepting feedback community groups and individuals
  - Please take the community survey!
  - Feedback is welcomed at this and future meetings
- Initial feedback is requested by the end of May
  - Feedback and questions are welcomed throughout the process
- DEQ will check back in with the community with updates and prior to a potential formal comment period to ensure there is an opportunity to provide additional feedback and ask questions

# How feedback will be used

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1. DEQ will collect verbal and written tribal and community input
2. DEQ will evaluate input and inform tribes and community groups and of what input will be integrated into the draft PPA Scope of Work
3. Draft PPA Scope of Work will be presented to PBG to begin negotiations
  - i. This does not guarantee that a PPA will be successfully negotiated



# Next steps

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- DEQ will consider community and Tribal feedback in conversations and negotiations with Portland Botanical Gardens
  - Please share your feedback by taking our survey and continuing to attend these meetings
- Further communication on progress updates
  - Future community meetings will be scheduled for substantial updates, especially if a draft PPA is negotiated
- Let us know if you want to receive updates by:
  - Indicating so on the survey
  - Direct communication with DEQ
  - Signing up to DEQ's [GovDelivery email list](#) on this topic

# Thank you!

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**Contact Information: Michael Loch**

Public Affairs Specialist

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503-737-9435



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# QUESTIONS AND FEEDBACK

# Title VI and alternative formats

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Contact: 800-452-4011 | TTY: 711 | [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us)



A photograph of a dense forest with sunlight filtering through the trees, creating a warm, golden glow. The text is overlaid on this image.

# TECHNICAL DIFFICULTIES

*We'll resume in a moment*