

Independent Cleanup Pathway Steps in the Process



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Quality

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Introduction

The Independent Cleanup Pathway (ICP) is designed to assist parties interested in cleaning up contaminated sites without ongoing Department of Environmental Quality (DEQ) oversight. It is specifically designed to provide DEQ approval through a more streamlined cleanup path for low and medium priority sites and more certainty for Responsible Parties (RPs) on DEQ final report review time. The recommended steps in the ICP process are described below.

Program Information

ICP information packets, including an Initial Site Screening form, an Intent To Participate form, and example Cost Recovery Letter Agreement are available on request from the Environmental Cleanup Program Representatives in the regional DEQ offices. The information packet can also be downloaded from the DEQ ICP Web site <http://www.deq.state.or.us/wmc/cleanup/icp-main.htm>.

Initial Meeting

DEQ's Environmental Cleanup Program Representative will offer to meet with you and your representatives to discuss the project, the ICP, and any questions or concerns you may have regarding the process, schedule and requirements. The purpose of the meeting is to provide a forum for you to discuss site environmental issues and for DEQ to provide advice regarding the suitability of the site for the ICP. It also provides an opportunity to discuss what, if any, existing information DEQ has about the site, potentially including a ranking by DEQ's Site Assessment Program.

The Initial Site Screening form will also be discussed at this meeting. This form is designed to quickly identify good candidates for the ICP. If you do not have enough information about the site to answer the questions on the Initial Site Screening form, additional site investigation activities need to be conducted before we know if the project qualifies for the ICP.

If the site passes this initial screening, it is eligible for the ICP. If the site does not pass, the ICP may still be an option. To make that determination, you will need to provide enough

information for DEQ to complete a site prioritization.

Intent to participate form and site eligibility information

If the site appears to be appropriate for the ICP, you will be asked to submit the completed Intent to Participate form and Initial Site Screening form or additional site information necessary to complete the site prioritization. The Intent to Participate form has a place where you indicate if you want Site-Specific Technical Consultation from DEQ during the cleanup activities.

Site-Specific Technical Consultation

DEQ offers Site-Specific Technical Consultation on a cost recovery basis for participants in the ICP who want some level of DEQ input during their cleanup activities. Site-Specific Technical Consultation can range from draft work-product review (e.g., work plans, site investigation reports, and beneficial use determinations) to advice on how to manage unanticipated findings at the site.

Cost recovery agreement

After receiving the completed Intent to Participate Form and Initial Site Screening form, DEQ will prepare a Cost Recovery Agreement for your signature. You return the signed Agreement, along with a \$1,500 deposit, to DEQ.

DEQ reviews submitted information

Once DEQ receives the executed Cost Recovery Agreement and deposit check, DEQ will review the site eligibility information, prioritize the site if necessary, and determine if it is eligible for the ICP. If the site does not meet the requirements for the ICP, DEQ's Environmental Cleanup Program Representative will provide information on other program options.

DEQ's acknowledgment letter

If the site is eligible for the ICP, DEQ will prepare and submit an Acknowledgment Letter accepting the project into the ICP. DEQ will add the site to the Environmental Cleanup Site Information (ECSI) database, assign technical consultation staff (if requested), and issue a press release or public notice announcing your participation in the ICP. This public notification

will only be issued for those ICP sites that anticipate additional investigation and/or cleanup activities.

Generally, DEQ requires 90 days advance notice of final report submittal before we can commit to complete our review of the final report within a 60-day time frame.

If you submit your Final Report on schedule after the 90-day notice period, as indicated in the ITP form, a DEQ Project Manager will be immediately assigned. If the Final Report is not submitted on schedule, the time frame for report review will depend on staff availability.

Independent cleanup

You or your consultant or contractor complete the independent cleanup (or has completed the independent cleanup prior to entering the program) in accordance with Oregon statutes and rules.

Prepare final report

You or your consultant or contractor prepare and submits the ICP Final Report Checklist and Final Report to DEQ for review and approval. The Final Report must be signed and stamped by a Registered Geologist or Professional Engineer licensed to practice in Oregon. A report preparation guide is available on our Web site at <http://www.deq.state.or.us/wmc/cleanup/icp-main.htm>.

DEQ's review of final report

If data collection, analysis and conclusions drawn in the report are deemed acceptable in accordance with Oregon statutes and rules, DEQ will send you a letter accepting the report and agreeing that the independent cleanup appears complete.

If the report is found to be incomplete or inaccurate, then the DEQ Project Manager will prepare a letter describing the data gaps or inaccuracies and submit the letter to you within the target time period. You will be asked to correct the data gaps or inaccuracies and resubmit the report. DEQ will attempt to complete its review of the revised report within 60 days of receipt.

DEQ Issues NFA Determination

Once DEQ accepts the final report, DEQ will begin proceeding through the NFA process:

- DEQ Project Manager prepares a Staff Memo recommending NFA.
- DEQ Program Manager reviews and approves the Staff Memo, if appropriate.

- DEQ Project Manager prepares and publishes the public notice* and issues a press release.
- After satisfying the public notice* and Participation requirements, DEQ issues the NFA letter.

Delisting

Sites that are cleaned up or are found to not present an unacceptable risk can be removed from the Confirmed Release List and the Inventory following the completion of public notice. If protection is maintained by institutional or engineering controls, the site must remain listed.

**Note: Public notice is required if a cleanup action was completed, or if institutional or engineering controls are used. Public notice is also required to delist a property from the Confirmed Release List or the Inventory.*

For additional information

Additional information and materials related to the Independent Cleanup Pathway may be obtained through DEQ's Web Site at <http://www.deq.state.or.us/wmc/cleanup/icp-main.htm>, or by contacting the Environmental Cleanup Program Representative at your regional DEQ office.

Alternative formats

Alternative formats of this document can be made available. Contact DEQ's Office of Communications and Outreach, Portland, for more information at (503) 229-5317.