



# Oregon

Theodore R. Kulongoski, Governor

Department Of Environmental Quality  
Northwest Region - East Side Office  
1550 NW Eastman Parkway, Suite 290  
Gresham, Oregon 97030  
(503) 667-8414  
Fax: (503) 674-5148

June 24, 2008

LAWRENCE OLSEN  
4680 SW BEECH DR  
BEAVERTON, OR 97005-3458

Re: Olsen, Lawrence  
File No.: 34-08-0411

Dear Lawrence Olsen:

The Department of Environmental Quality has received a report and Alpha Environmental Services, Inc. certification concerning the heating oil underground storage tank (HOT) assessment and/or cleanup conducted at 4680 SW Beech Dr, in Beaverton, Oregon.

Alpha Environmental Services, Inc. was licensed to provide heating oil tank services and has certified that the cleanup has met the Department's requirements. The Department has registered this report and certification and closed its file on the project.

The decision to register the report and certification and to close the Department's file will no longer apply if new or undisclosed facts show that the project does not comply with the rules governing heating oil tank cleanups.

Although the site cleanup has met the Department's requirements, if petroleum contamination remains on your property you are required by state law (ORS 105.464) to provide potential buyers a disclosure statement that includes information regarding the remaining petroleum contamination on your property.

We recommend that you keep a copy of this information with the permanent property records.

Your efforts to comply with Oregon's environmental rules and regulations to ensure that your heating oil tank has been adequately addressed have been appreciated. Proper decommissioning and cleanup helps ensure protection of the environment from future heating oil tank leaks and ensures that the heating oil does not adversely impact human health or the environment. If you have any questions, please feel free to contact me at (503) 667-8414 ext. 55014.

Sincerely,

Ed Druback, Manager  
HOT Program

cc: Contractor  
LustforSI.doc



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## Department Of Environmental Quality

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September 29, 2005

MARGE MACCASKILL  
4700 SW BEECH DR  
BEAVERTON, OR 97005

Re: Mascaskill, Marge  
File No.: 34-05-1573

Dear Marge Maccaskill:

The Department of Environmental Quality has received a report and Evren Northwest, Inc. certification concerning the heating oil underground storage tank (UST) assessment and/or cleanup conducted at 4700 SW Beech Avenue, in Beaverton, Oregon.

Evren Northwest, Inc. was licensed to provide heating oil tank services and has certified that the cleanup has met the Department's requirements. The Department has registered this report and certification and closed its file on the project.

The decision to register the report and certification and to close the Department's file will no longer apply if new or undisclosed facts show that the project does not comply with the rules governing heating oil tank cleanups.

We recommend that you keep a copy of this information with the permanent property records.

Your efforts to comply with Oregon's environmental rules and regulations to ensure that your heating oil tank has been adequately addressed have been appreciated. Proper decommissioning and cleanup helps ensure protection of the environment from future heating oil tank leaks and ensures that the heating oil does not adversely impact human health or the environment. If you have any questions, please feel free to contact me at (503) 667-8414 ext. 55014.

Sincerely,

Ed Druback, Manager  
HOT Program

cc: Contractor

## Information about Oregon DEQ's No Further Action Decisions



State of Oregon  
Department of  
Environmental  
Quality

### Environmental Cleanup Program

700 NE Multnomah St.  
Suite 600  
Portland, OR 97232  
Phone: 503-229-5696  
800-452-4011  
Fax: 503-229-5850  
[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

### Background

DEQ's Cleanup and Leaking Underground Storage Tank (LUST) programs manage a wide variety of sites with different levels and types of contamination from hazardous substances, including petroleum. Some sites may have one contaminant in a small area of shallow soil, while others may have high concentrations of many substances in soil, surface water, sediments or groundwater. A common goal of the Cleanup and LUST programs is to lead these sites to *No Further Action* (NFA) determinations.

### What does an NFA mean?

DEQ's Cleanup and LUST programs make a No Further Action decision after determining that a site – or one part of a site – poses *no unacceptable risks* to human health or the environment. This usually follows investigative or cleanup activities under DEQ oversight or review. It means DEQ will not require additional remedial action, based on the agency's knowledge of site conditions when it issues the NFA. Some NFAs rely on [institutional or engineering controls](#) – often less expensive to implement than the removal of contamination – that are designed to prevent exposure to contaminants left in place. DEQ's Cleanup Program labels such sites as *Conditional* NFAs (CNFAs); the LUST Program uses the NFA label even at sites where such controls are in place.

**How do LUST & Cleanup NFAs differ?** All No Further Action determinations are based on meeting established risk standards designed to protect human health and the environment. However, a LUST NFA usually applies only to the contamination relating to the underground storage tank system. The LUST NFA may not apply to other spills or releases not associated with tanks or piping. Conversely, a Cleanup NFA usually does apply to the entire facility and all suspected sources of contamination. Always review DEQ's *NFA letter* to know what environmental conditions it covers.

### What about heating oil tanks?

Heating oil tanks (HOTs) are a special category. Until 1999, DEQ reviewed HOT releases and issued No Further Action letters for those sites. In 1999, the state legislature created a third-party certification program, implemented in 2000.

Under this program, DEQ licenses independent contractors to perform tank decommissioning and cleanup, if needed. The contractor certifies whether the project involved a clean decommissioning or completion of a cleanup meeting DEQ's acceptable risk standards. Licensed contractors submit certifications to DEQ, and DEQ randomly audits a portion of these reports.

### What contingencies might an NFA have?

Sites with Conditional No Further Action decisions, and some LUST sites with NFA decisions, have formal controls in place that are recorded on the property deed and must be maintained for the NFA to remain valid.

Other NFA determinations are based on current and reasonably likely land and water uses (as required by Oregon law), or on expectations of certain activities occurring (for example, well removal) or NOT occurring (for example, razing buildings). When such unanticipated uses or events occur, they may create unacceptable risks. In any case, site contingencies, which are typically identified in the NFA letter, may require future actions or ongoing considerations on the part of owners/lessees.

### NFAs are not forever

While it does not happen often, DEQ may rescind an NFA or CNFA if:

- DEQ learns of a new contaminant release or a previously unknown past release;
- Contaminant risk factors change dramatically as scientific knowledge advances; or
- Conditions linked to the NFA are not implemented or maintained as expected.

### How can I learn more about an NFA?

The single most important document to review is the site's NFA letter, which usually outlines the basis for the NFA and any associated conditions or contingencies. This is often accompanied by a DEQ *Staff Report* that provides details on the No Further Action decision process.

To find out more about a site's conditions, please review DEQ's environmental database [Your DEQ Online](#).

## **Conclusions**

Know your site. A CNFA label indicates that controls are in place, but an NFA (that is, no *Conditional* label) does not necessarily mean the site is available for unrestricted use. Before leasing, purchasing, or financing a site with a DEQ NFA or CNFA, know the circumstances or conditions that DEQ based its decision on. (See [Liability Management Tools for Buyers of Contaminated Property in Oregon](#), available on DEQ's Prospective Purchaser Agreement page.) If you're an owner or operator of such a site, be familiar with use restrictions or other conditions that DEQ may have attached to its NFA decision before you make changes to the property.

### **For more information please contact:**

Contact the Cleanup Program representative, at 503-229-5696.

### **Alternative formats**

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov).