



State of Oregon
**Department of
 Environmental
 Quality**

Oregon Department of Environmental Quality

Application for Prospective Purchaser Agreement

FOR DEQ USE ONLY	
Received:	
Amount:	
Check #:	
Q-Time:	
Project #:	

As provided in Oregon law (ORS 465.327), DEQ may approve PPAs “to facilitate cleanup and reuse of contaminated property” if all of the following criteria are met:

- 1) The prospective purchaser is not currently liable under any of the three following statutory authorities for an existing release of hazardous substances at the property to be purchased: ORS 465.255; ORS 466.640; or ORS 468B.
- 2) Contamination exists and removal or remedial action is necessary at the property under ORS 465.
- 3) The proposed use of the property will not contribute to or exacerbate existing contamination, increase health risks or interfere with necessary remedial action measures at the facility.
- 4) A substantial public benefit will result from the PPA.

The information in this application will help DEQ evaluate the eligibility of applicants based on these criteria.

Applicant Information			
Applicant:			
Mailing Address:			
City:	State:	Postal (ZIP) Code:	
Contact Name:		Title:	
Phone Number:		Email:	

Site Information			
Site Name:			
Site Address:			
City:	State:	Postal (ZIP) Code:	
Section:	Township:	Range:	Size (acres):
<input type="checkbox"/> Please attach a legal description of the property		Tax Lot(s):	
ECSI and/or UST Identification Number(s) and Names, if applicable:			
Current use of the property: If property is vacant, how long has it been vacant?			
Current zoning of the property:			

Current Site Owner Information		
Current Site Owner’s Name:		
Current Site Owner’s Mailing Address:		
City:	State:	Postal (ZIP) Code:

Contact Name:	Phone Number:	Email:
Is the current owner aware of your plans to seek a "Prospective Purchaser Agreement" with DEQ? <input type="checkbox"/> Yes <input type="checkbox"/> No		
To your knowledge, does the current owner have any objections or reservations regarding this proposed prospective purchaser agreement? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please describe:		

Applicant's Proposed Interest in the Property

Are you planning to buy the property described above? Yes No

If no, describe your proposed interest in the property:

Nature and Timing of Pending Property Transaction

Please describe, if known, the nature and timing of the proposed property transaction in sufficient detail to give DEQ a sense of your needs and timetable. (Note: It is DEQ's goal to complete review and negotiation of most agreements within 6 - 8 weeks.):

Agreement Type

Which type of Prospective Purchaser Agreement are you planning?

Administrative Agreement Consent Order Consent Judgment Undecided

Proposed Land Use

Describe the proposed development or reuse of the property. Attach site maps and supplemental information describing the intended development or reuse if available. (Note: site design maps and supplemental information are required if proposed buildings, parking lots, drainage systems or other developments could impact current or future environmental cleanup activities):

Local Government Planning Department Contact	
Contact Name:	Title:
Phone Number:	Email:
Please summarize any conversations you have had with the local government planning department:	

Summary of Contamination & Investigation Status
Has a Phase I Environmental Site Assessment been conducted at the Property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide information on report title, consultant/consulting firm, date prepared:
Has sampling or other environmental investigation been conducted at the Property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes please summarize results:
Have cleanups activities been conducted at the Property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes please summarize activities:
Does DEQ have a copy of relevant reports? <input type="checkbox"/> Yes <input type="checkbox"/> No – If not, please provide (or attach) the reports
Known or suspected contaminant source(s): Known or suspected contaminant(s):

Type of Release
Briefly describe the nature of the hazardous substance release at the property. You may attach sampling results or additional information, or reference prior materials sent to DEQ by title and date. At a minimum, please provide basic information in the space below (e.g., list the known contaminants in soil, groundwater, surface water, sediments, etc.):
In what year (or years) did the release (or releases) of hazardous substance(s) occur?

Cleanup Activities Underway or Completed

Please provide a summary of removal or remedial activities which have been undertaken or completed at the property already, if any:

Proposed Cleanup Activities

Describe in general terms removal or remedial activities to be performed in the future, of which you are aware:

Proposed Funding for Cleanup Activities

Funds for the cleanup and/or management of future project cleanup activities will be provided by:

- The applicant
- The current owner
- The applicant and current owner will share responsibility for the cleanup
- DEQ-funded
- Other (please specify):

Please describe the cleanup project lead and roles of the various parties in detail sufficient to give a clear understanding of who will be performing or paying for cleanup activities:

Prospective Purchaser Liability

Indicate why the applicant is not presently liable under ORS 465.255 for an existing release of hazardous substance at the property. You may attach additional information if necessary. For purposes of these questions, "applicant" includes individuals, partnerships, corporations, trusts and other legal entities in which the applicant has or previously had a legal interest:

- a) Has the applicant ever owned a legal interest in any facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

Yes No

If yes, please explain:

b) Has the applicant ever owned a legal interest in any portion of the property subject to this agreement? Yes No

If yes, please explain:

c) Has the applicant ever operated a business located at a facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement?

Yes No

If yes, please explain:

d) Has the applicant ever operated a business located on any portion of the property subject to this agreement? Yes No

If yes, please explain:

e) Has the applicant, by any act or omission, caused, contributed to or exacerbated any release of hazardous substance now located on the property subject to this agreement? Yes No

If yes, please explain:

f) Please describe the nature of any past business or contractual relationship with the seller of this property:

Public Benefit

The law requires that a substantial public benefit will result from the Prospective Purchaser Agreement. Substantial public benefits may include but are not limited to:

- The generation of substantial funding or other resources facilitating remedial measures at the facility in accordance with this section;
- A commitment to perform substantial remedial measures at the facility in accordance with this section;
- Productive reuse of a vacant or abandoned industrial or commercial facility; or
- Development of a facility by a governmental entity or nonprofit organization to address an important public purpose.

Please provide a brief summary of the public benefit(s) this Prospective Purchaser Agreement will provide to the local community and/or the State of Oregon:

<p>Additional Application Contacts</p> <p>Environmental Consulting Firm: Contact Name: Company: Mailing Address: Phone Number: Email:</p>
<p>Attorney/Law Firm: Contact Name: Company: Mailing Address: Phone Number: Email:</p>

DEQ Contacts

Please list the names of any DEQ staff that you have talked with regarding this property:

Signature (The application must be signed by an authorized representative for the applicant.)

I certify that I have personally examined and am familiar with the information in this document and all attachments, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate and complete.

 Signature

 Date

 Print Name

 Title

Application Submittal

<p>Send Completed Form and Enclosures to*:</p> <p>Oregon Department of Environmental Quality Attn: Revenue Section 700 NE Multnomah Street, Suite 600 Portland, OR 97232-4100</p>	<p>Submittal Checklist*:</p> <p><input type="checkbox"/> Legal description of the property enclosed? <input type="checkbox"/> Additional environmental reports enclosed (if applicable)? <input type="checkbox"/> Cost recovery letter agreement enclosed? <input type="checkbox"/> Deposit enclosed? (Check for \$2,500, made out to Oregon Department of Environmental Quality)*</p>
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FOR MORE INFORMATION: Visit: <http://www.oregon.gov/deq/Hazards-and-Cleanup/env-cleanup/Pages/Prospective-Purchaser-Agreements.aspx>.

FOR QUESTIONS: Contact DEQ's PPA program coordinator at 503-229-6461 or email PPAInfo@deq.state.or.us*

* You may submit advance copies of forms via email if desired. **Please DO NOT send any confidential information** (such as scanned copies of checks with bank account numbers) through email.

