

Housing Production Packet Introduction

Whether you're building a new housing development, demolishing and rebuilding, or renovating an old building into new dwellings, there are a number of steps along the way. Depending on the project, you may need a variety of permits or certifications from Oregon's Department of Environmental Quality to ensure that what you build and how you build it is safe for the people who will live there and complies with environmental regulations. DEQ developed this packet to offer a high-level overview of the programs you might contact, and the processes you might need to use, to get the permits and certifications you need. Some of them are required for every project, and others only apply to certain types of projects, or certain locations.

While this packet is not a step-by-step guide, we hope that it will provide enough information to help you know what might be needed for your projects and who to contact at different points in your project timeline. Every DEQ program referenced below has a fact sheet included in this packet. You can go directly to each fact sheet by clicking on the link or scroll through the packet to find the information you need.

Key takeaways

- Identify the permits or certifications that you'll need for your project
- All permit or certification applications or sewer system plan reviews require a Land Use Compatibility Statement
- Although a site cleanup does not require a permit or a LUCS, any further development on a clean-up site may require permitting
- Permitting can take between 1 and 12 months, depending on the permit type and complexity of your site
- The more complete your application is, the faster you can move through the permitting process

Common DEQ permits or certifications

If you have or think you might have...

- Asbestos or lead based paint, you will need to work through Hazardous Building Materials certification.
- Impacts to wetlands and waterways, you may need to obtain a 401 certification from DEQ.
- Construction and/or ground-disturbing activity, you will need a 1200-C permit
- Hazardous substances that require remediation, you will need to work with the hazardous waste, cleanup and tanks programs
- Need for a community or individual sewage system, you will need an Onsite permit
- Need to site or expand a sewer collection system, you will need to have your engineering plans reviewed

Table 1. DEQ permits, certifications and programs you may need to contact for different types of projects or project locations

Program Name	New Housing	Refurbish, Reuse or Demo	Wetland or Waterway Impact	Potential Hazardous Material
401 Program	X		X	
1200-C Permit	X	X	X	
Air Quality	X			
Asbestos		X		X
Brownfields and Cleanup	X	X		X
Built Environment		X		
Climate Equity & Resilience through Action	X	X		
Onsite	X	X		
Regional Solutions Team (provides coordination)	X	X	X	X

First steps

Land Use Compatibility Statement from your local municipality

Every housing project that will need permits, certificates or plan reviews from DEQ needs to have a Land Use Compatibility Statement that is completed by the appropriate city or county planning office. DEQ will need an **affirmative** LUCS that indicates that the DEQ's permit, approval or certification and the housing project are compatible with land use regulations. If a city or county indicates that the project **does not comply**, DEQ's permitting, approval or certification processes will not advance. DEQ recommends that the developer work with the city or county to comply with local land use regulations before asking the city or county to complete the LUCS form.

A sample LUCS form follows this introduction.

- As the applicant, you complete Section 1 of the form, then provide the LUCS to the local land use jurisdiction, such as the City or County planning department.
- The City or County planning department will complete Section 2 of the form, indicating whether your project is consistent with the appropriate plan and land use regulations, and include written findings to support their decision.
- The City or County returns the signed, dated LUCS to you, the applicant.
- You provide the completed LUCS, supporting documentation with the DEQ permit application or approval request.

You can download fillable versions of the LUCS on [DEQ's permits page](#). There are separate forms for a [general LUCS](#) and an [Onsite LUCS](#) for septic systems.

Does your site need cleanup or remediation?

If you are planning to build on a site that will need clean-up or remediation of hazardous materials, contact DEQ early. In some cases, you can incorporate cleanup actions within your site development plans. You may want to obtain a No Further Action determination from DEQ—this will make seeking funding, developing or selling the property easier in the future. Some types of cleanups require a licensed contractor to do the work, while other types can be completed by a landowner. See DEQ's Cleanup Fact Sheet in this packet for more information.

If you are reusing an existing building that was built before 1978, you may need to ensure that your contractors are licensed for handling materials that contain lead. See [DEQ's lead based paint handling and disposal](#) fact sheet.

If you plan on refurbishing a building, DEQ requires a licensed contractor to conduct a survey and abate friable asbestos.

Hiring a consultant

Housing developers often need permits or certificates from the state, and the process can go more smoothly when they hire an experienced consultant. A skilled consultant understands what the agency expects, prepares clear plans, and reduces the amount of review time needed. This helps avoid delays, extra revisions, and higher costs that can happen when someone without the right experience leads the project. While certain parts of a project, such as asbestos or hazardous material work, must be done by licensed contractors, an experienced consultant can still simplify the broader permitting and certification steps. Developers should compare consultants, check references, and request written proposals before making a choice.

Funding sources

There are several funding sources that may be able to help cover the costs for certain parts of your work or business. They include grants through DEQ's Built Environment program; low-interest loans from the Clean Water State Revolving Fund; grants through DEQ's Climate Equity and Resilience Through Action program; and other state and federal funding sources. It is important to explore these opportunities early in the process to understand what sources are available, what they can and can't pay for, and whether you are eligible for grants or loans.

Additional considerations

This packet covers only the programs that DEQ administers. You may need other permits, certificates, evaluations or approvals from other local, state, and federal jurisdictions for the following situations:

- Species listed under the federal Endangered Species Act, and/or state conservation plan ([Oregon Department of Fish and Wildlife](#), [US Fish and Wildlife Service](#))
- Impacts to historic buildings and sites, or locations with cultural resources ([State Historic Preservation Office](#))
- Lead exposure from repair and demolition ([Oregon Health Authority](#))
- Removing or placing fill material in waterways, lakes, or wetlands ([Department of State Lands](#))

Your DEQ Online

In the last few years, DEQ has worked to improve the ways we receive, process and share information. This is an important upgrade to the way we do business both internally as well as with partners and community members. Many of DEQ's regulatory programs now use Your DEQ Online, or YDO, to:

- Provide more accessible services for the regulated community and the public
- Save applicants time and resources on application submissions
- Streamline DEQ processes and reduce the ongoing costs of collecting and maintaining submission data
- Meet federal electronic reporting standards
- Improve transparency and management of publicly available environmental data

Using YDO, you can:

- Submit or renew applications, permits, certifications, licenses, complaints and more
- Pay invoices, fees, penalties and other payments using an e-check or credit card
- Check the Dashboard for status updates on submitted applications, upcoming reporting obligations, and permit, license and certificate renewal dates
- Schedule inspections
- Access records including permits, licenses and other public information

Before using YDO, you need to [create an account](#). Once you have an account, you can log into the public portal to access modules for submitting, processing, and tracking applications for permits, licenses or certifications.

If a program participates in YDO and you need to apply for a permit, license, or certificate from that program, you must apply through YDO. Currently, the programs that have a housing production nexus AND participate in YDO include:

- Air Quality
- Asbestos
- Environmental Cleanup
- Hazardous Waste
- Solid Waste
- Underground Storage Tanks
- 401 Certification
- Stormwater
- Wastewater

Please visit the [YDO web page](#) for more information, access to registration, the public portal, the Help Desk, and other resources.

Non-discrimination statement

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Fact Sheet

1200-C National Pollutant Discharge Elimination Systems Construction Stormwater

Core functions

The Department of Environmental Quality's 1200-C permit regulates stormwater runoff from construction projects that disturb one or more acres of land. When land is cleared or graded, rain can carry sediment and pollutants into nearby streams, rivers, and storm drain systems. This permit requires construction projects to use erosion controls and sediment controls to keep soil and pollutants on-site and protect water quality.

The permit is required under state and federal law and applies to many types of development, including housing, subdivisions, infrastructure projects, and commercial development.

When to contact

Your project requires 1200-C permit coverage if it meets either of the following conditions:

- Disturbs **one acre or more** of land
- Is part of a **larger common plan of development** that totals one acre or more, such as a subdivision built in phases

"Land disturbance" includes clearing, grading, excavation, and similar activities. Once a project meets the criteria above, other construction activities are also regulated by the permit. These include staging, stockpiling, demolition, and vertical construction.

Early coordination across programs can help avoid delays. Depending on your project, you may also need one or more of the following:

- A local grading, construction, or erosion control permit
- A Removal-Fill permit from Oregon Department of State Lands (for in-water or wetlands impacts)
- DEQ 401 Water Quality Certification (for in-water work or wetlands impacts)
- U.S. Army Corps of Engineers Removal-Fill permit (for in-water or wetlands impacts)
- DEQ Cleanup Program (for contaminated soil, sediment or groundwater)

Process overview

Construction activities may not begin until DEQ approves permit coverage. Submit a complete application package through DEQ's online system at least 30 days before construction starts. The application must include:

- Basic project and contact information
- Payment of fees: \$1,515 application fee and \$1,558 annual fee for the first year of coverage, plus a 4% technology fee. Fees are subject to change. See OAR 340-045-0075, Table 70G.



Fact Sheet

401 Water Quality Certification

Core functions

Section 401 of the federal Clean Water Act gives states and tribes the authority to issue Water Quality Certifications WQC. A WQC is required for any project that needs a federal permit and may discharge into waters of the United States, which can include wetlands. The WQC provides documentation that the project will meet applicable state water quality standards. Oregon water quality standards define:

- A waterbody's designated use
- Pollutant limits that will protect each designated use of a waterbody
- Policies to ensure that existing water uses will not be degraded by pollutant discharges

The Oregon Department of Environmental Quality's 401 program has two components, the Dredge and Fill subprogram and the Hydropower subprogram. The Dredge and Fill subprogram is relevant to housing projects.

The Dredge-Fill subprogram reviews water quality impacts for projects that need a Section 404 permit from the U.S. Army Corps of Engineers. A Section 404 permit is required when a project fills federally regulated waters, including wetlands. Any housing project that affects regulated waters may need both a Section 404 permit from the Corps and a DEQ 401 WQC. DEQ must issue the certification before the Corps can issue the federal permit.

There are two types of WQC: the Expedited WQC (for many projects using a Corps Nationwide Permit) and the Standard WQC (for projects using a Standard Individual Permit from the Corps).

When to contact

Contact the 401 program early in the design phase and after contacting the Corps. This is typically when plans are about 30% complete. The application review includes a review of post-construction stormwater management from new and redeveloped impervious surfaces for the full life of that stormwater system. The 401 program also performs site inspections during and after construction.

Process overview

Application process for expedited WQC

Step 1: Submit two forms through the "(401) Dredge-Fill Certification Application" template in Your DEQ Online: The Corps' Joint Permit Application or Pre-Construction Notification Form, and the DEQ Request for Certification Form.

Step 2: DEQ will review your application for completeness and assign a review fee based on your project's tier. You must pay the fee within 30 days of receiving the invoice.

Application process for standard WQC

Step 1: At least 30 days before submitting your application, submit a Pre-filing Meeting Request Form through the "(401) Dredge-Fill Supporting Materials" template in Your DEQ Online.

Step 2: Submit two forms through the "(401) Dredge-Fill Certification Application" template in Your DEQ Online: the Corps' Joint Permit Application or Pre-Construction Notification Form, and the DEQ Request for Certification Form.

Step 3: DEQ will review your application for completeness and assign a review fee based on your project's tier. You must pay the fee within 30 days of receiving the invoice.

Step 4: DEQ will issue a public notice either jointly with the Corps or independently.

Key takeaways

- A complete 401 WQC application should include:
 - A federal permit application
 - A DEQ 401 Request for Certification form
 - An **affirmative** Land Use Compatibility Statement from local jurisdiction
 - Evidence that the project will meet state water quality standards and designated beneficial uses
 - A post-construction stormwater management plan for projects creating new impervious surfaces
- Review fees are based on project complexity. Projects are assigned a tier from Tier 1 (least complex) to Tier 4 (most complex).
- DEQ has up to 180 days (six months) to review a 401 WQC application. This timeline is set by the U.S. Environmental Protection Agency's 2023 401 Rule.

Resources

- [Clean Water Act: Section 401 State Certification of Water Quality](#)
- [USACE: Do I Need a Permit?](#)
- [USACE Regulatory Portland District Website](#)
- [Oregon DEQ 401 Application Process](#)

For more information

- Visit [DEQ's 401 Program website](#)
- Connect with your [local 401 Program contact](#)

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- A Land Use Compatibility Statement from the local planning authority, confirming approval of the development project.
- An Erosion and Sediment Control Plan that describes how the site will be managed during construction. If applicable, an Environmental Management Plan for contaminated media must also be included.
- A current wetland or stream delineation for all waters of the state within the construction area or applicable buffer zone. Include any in-water work permits or authorizations from the relevant permitting agencies.

During construction, you must:

- Install and maintain stormwater best management practices as outlined in your project's erosion control plan. Common BMPs include sediment barriers, stabilized entrances, soil cover, concrete washout areas, and material storage and disposal areas.
- Inspect the site regularly
- Fix problems quickly if BMPs are damaged or not working
- Stabilize soil as work is completed

Permit coverage can be terminated by the permit holder once the site is fully stabilized.

Key takeaways

- **Phased projects:** If a large development is built in phases, all phases count together toward the one-acre threshold.
- **Include all stages of work:** Vertical construction such as homebuilding must be included in the original permit plan. If it is not included, it may require separate permit coverage later.
- **Plan for erosion control early:** Including stormwater controls into site design improves efficiency and reduces costs.
- **Public notice requirement:** Projects over five acres require a 14-day public notice period. Account for this time in your project schedule to avoid permit delays.
- **Coordinate with DEQ agents:** Some cities and districts administer the 1200-C permit on behalf of DEQ. Application requirements and on-site requirements remain the same, but the application process may differ.
- **Local permit programs (1200-CN):** Some cities and counties have an equivalent local construction oversight program under the 1200-CN general permit. This applies to projects under 5 acres. If this program applies to your project, you obtain permit coverage entirely through the local process.

For more information

Visit [DEQ's Construction Stormwater web page](#), and check with your local jurisdiction

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Fact Sheet

Air Quality Guidance for Construction and Abatement Companies

Core functions

Any business or industry that emits, or has the potential to emit, pollutants into the air may be required to obtain an air permit from DEQ. For housing development, air permits are typically only needed if large parking lots are constructed or modified. However, there are other rules and requirements that apply to construction and development that must be followed.

Developers must prevent emissions of particulate matter from construction sites with practices such as application of water to minimize airborne dust; covering materials stockpiles; installation and use of hoods, fans and fabric filters to vent during the handling of dusty materials. For a full list of requirements, see Oregon Administrative Rule [340-208-0210](#). Developers must also take precautions to avoid nuisance air pollution. Nuisance means an interference with another's use and enjoyment of real property, or invasion of a right of the public (see OAR [340-208-0300](#) and [-0310](#)).

For demolition or renovation projects, it is important that debris must be appropriately removed, handled, and disposed of, especially if containing [lead](#) or asbestos. There are also air quality rules that apply to properties with woodstoves, burn restrictions of debris, and rules that apply to diesel equipment in the Portland metro region – see examples below for more details.

DEQ encourages developers to adopt practices that promote healthy living conditions for residents. For example, heating and cooling systems should be designed to protect residents during extreme temperatures and wildfire smoke events. And building materials and equipment should be chosen that minimizes exposure for residents to [toxic chemicals](#) over the course of their occupancy.

When to contact

Contact your regional DEQ office as early as possible to determine what permits you need or what rules apply to your project.

Examples of work

Indirect Source Permit for large parking lots

An Indirect Source Permit is required for parking lots with high traffic volume. This permit applies to:

- New parking lots with 800 or more spaces in the Portland metro area, or 1,000 or more spaces elsewhere in Oregon.
- Modifications to existing parking lots that increase capacity to 800 or more spaces in the Portland metro area, or 1,000 or more spaces elsewhere in Oregon.



Fact Sheet

Asbestos Program

Core functions

The DEQ Asbestos Program regulates how asbestos-containing materials are handled, removed, and disposed of in order to protect public health and the environment. If you perform or manage remodeling, renovation, repair, maintenance, or demolition work, you must follow these rules.

Before any building is renovated or demolished, all asbestos-containing materials must be identified and properly abated. Abatement means any action taken to manage asbestos-containing materials, including handling, removing, disposing of, repairing, salvaging, enclosing, or encapsulating them.

When to contact

If your housing project involves demolition or renovation of an existing structure, an asbestos survey may be required. The following buildings must have an asbestos survey completed by an accredited inspector before any demolition or renovation begins:

- All commercial buildings, regardless of when they were built
- All residential buildings built before Jan. 1, 2004

"Residential building" means a facility used as a residence and that is a site-built home, modular or prefabricated home that has been constructed off site and assembled on-site, manufactured dwelling, condominium, duplex, or a multi-unit facility consisting of four units or less. A residential property that is being developed for commercial use is not considered a residence.

Process overview

1. Before any demolition or renovation, determine whether an asbestos survey is required.
2. If required, hire an accredited inspector to complete the survey.
3. Keep a complete copy of the asbestos survey report on site during all demolition or renovation activities. Provide a copy to DEQ if requested.

There are two types of asbestos-containing material identified on an asbestos survey report, and each has different abatement requirements:

- **Friable:** Material that can be easily crushed or crumbled by hand. Examples include wall or ceiling texture, soundproofing materials, and pipe insulation. Must be removed by a licensed asbestos abatement contractor.
- **Nonfriable:** Material that holds asbestos fibers in a solid form and cannot be easily crumbled. Examples include cement siding, cement water pipe, roofing materials, and vinyl floor tiles.

Anyone conducting **nonfriable asbestos abatement** must submit a nonfriable notification form (ASN-6) and pay the associated fee to DEQ at least five days before work begins. Certain work practice requirements and

all disposal requirements apply to nonfriable abatements. Materials must be kept in a nonfriable condition throughout the removal process.

There are specific requirements for packaging, labeling, transporting, and disposing of asbestos-containing materials:

- Materials containing asbestos waste may not be stored or accumulated without packaging
- Materials must be double-bagged in 6-mil or heavier plastic bags or placed in other leak-tight packaging
- Packages of materials must have an asbestos hazard warning label
- The label must also include the name of the person who removed the asbestos and the address of the removal site.
- Materials may only be disposed of at a DEQ-permitted disposal facility
- A completed Asbestos Waste Shipment Report Form must be provided to the disposal facility at the time of disposal.

Key takeaways

- If an asbestos survey is required, you must have it completed prior to any demolition or renovation activity
- The survey must be completed by an accredited inspector
- Abatement requirements differ depending on whether the material is friable or nonfriable.

Small-project exemption: Some rules do not apply to small maintenance and repair projects if certain conditions are met: the total amount of asbestos being abated is less than three square feet or three linear feet, the work is part of a necessary repair operation and asbestos removal is not the main purpose of the project.

For more information

- Visit [DEQ's Asbestos Program web page](#)
- Connect with us [via email](#)

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If a property has existing woodstoves or if woodstoves will be installed

If you are buying property that has a woodstove or fireplace insert, you must verify that the device was certified to meet emissions standards when it was manufactured. A certified device will have a permanent certification label. If the device is not certified or does not have a label, state [rules](#) require it to be removed and destroyed before the real estate sale is completed. DEQ must be [notified](#) that an uncertified device has been removed and destroyed. A list of currently certified devices is available in EPA's wood heater [database](#). More information is available on [DEQ's Heat Smart web page](#).

Burning debris

DEQ encourages developers to plan ahead and identify appropriate disposal locations. Open burning rules apply to any debris cleared on land that will be used for housing and any materials used in construction. Use the [Before You Burn Mapping Tool](#) to find out whether and how open burning rules apply to your site. Contact your regional DEQ office if you have questions.

Diesel retrofit compliance for applicable medium- and heavy-duty vehicles

Certain older medium- and heavy-duty diesel trucks operating in Multnomah, Clackamas, and Washington counties are required to have DEQ-certified retrofit technology installed. Without this technology, the vehicle cannot be titled, registered or operated in these counties. Make sure any diesel vehicles used on your project meet this requirement.

Key takeaways

- Check that your parking lot meets the size requirements for an indirect source air permit.
- Building materials and equipment used in housing projects must not create harmful air quality conditions for residents. Developers must ensure that fugitive emissions of particles and dust are minimized, and activities are not a nuisance to the public.
- This is especially important in low-income communities and communities of color, which already experience higher cumulative health risks and environmental burdens
- Debris and waste materials on site must be handled and disposed of properly.
- Choose materials that will promote healthy occupancy for residents such as low-VOC paints and flooring. Learn more about the impacts of [housing materials](#).
- Heating and cooling systems should be designed to protect residents during extreme temperatures and wildfire smoke events.
- Contact your [regional DEQ office](#) if you have questions about applicable regulations or required permits for your project.
- If a permit is required, permitting application steps typically must be completed through the Your DEQ Online system.

For more information

- Visit [Air Quality Permitting's web page](#)

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Fact Sheet

Built Environment

Core functions

The Department of Environmental Quality's Built Environment program works to reduce the environmental impacts of buildings and construction. The program supports affordable, lower-impact, and more sustainable building materials and construction practices. It does this by providing technical expertise, financial incentives, education, and collaboration with public and private partners at the local and state level.

When to contact

Contact the Built Environment program early in your project design process if you are interested in incentives for affordable, low-embodied housing using adaptive reuse of existing buildings, space-efficient new construction, and informed selection of lower-carbon materials and design strategies.

Examples of work

- **Low-Embodied Carbon Housing Incentive Program** -- DEQ is partnering with nine local governments to provide financial incentives and technical assistance for low-embodied carbon, affordable housing development. Partner jurisdictions include the cities of Bend, Eugene, Hood River, Medford, Ontario, Pendleton, Portland, Reedsport, and Tillamook County.

A total of \$25 million in incentives is available as rebates: up to \$20,000 per unit for space-efficient housing, and up to \$45,000 per unit for building reuse-to-residential projects. The program demonstrates the benefits of building reuse, right-sized housing, and lower-embodied carbon materials in meeting Oregon's housing production and climate goals.

With current funding, the program will support approximately 1,000 housing units and will run through March 2029. Incentives are available until funds are fully committed. The program may be extended if additional funding is secured.
- **Built for Well-being Grant** -- The Built for Well-being Grant is a \$2 million grant program administered by DEQ's Materials Management program. The 2026 grant cycle focuses on reducing exposure to toxic substances in the built environment. The 2026 application period has closed. Subscribe to the DEQ mailing list for information about the 2028 and future grant cycles.
- **Housing Factsheets** -- DEQ's Built Environment program has published a series of briefs on the environmental impacts of building materials and ways to reduce those impacts in housing production. The [briefs](#) focus on embodied carbon, exposure to toxicants, and forced labor.
- **Low-Embodied Carbon Concrete** -- Low-embodied carbon concrete: DEQ's Built Environment program worked with the Oregon Concrete and Aggregate Producers Association and Oregon concrete producers to develop 1,500 concrete mix Environmental Product Declarations. EPDs quantify and report the environmental impacts of a product, helping developers and contractors make more sustainable

procurement decisions. DEQ also partnered with a residential design-build firm to pilot low-embodied carbon concrete in home construction and published a [case study](#) on the results.

- **Outreach and Technical Assistance** - DEQ's Built Environment team regularly offers technical assistance on more sustainable building practices and products to other agencies and organizations.
 - Collaborated with the Building Codes Division on its 2024 report to the Oregon Legislature: "Options to Reduce GHG Emissions Attributable to Building Materials" (HB 3409, 2023).
 - Collaborated with the Department of Land Conservation and Development on "Climate-Smart Housing Production Strategies" (also provided funding).
 - Collaborated with the Oregon Housing and Community Services and Oregon Health Authority on incorporating sustainability into their standards and evaluation criteria.
 - Provided technical testimony and expertise to the Climate Action Commission (2020–present), Resilient Efficient Building Task Force (2021–2022), Factory-Produced Housing Advisory Committee (2025–present), and Oregon Sustainability Board's Buildings Subcommittee (2026–present).

Key takeaways

How and where housing is built matters. Thoughtful housing development can reduce environmental harm and support healthier, more resilient, and more equitable communities. This includes using lower-impact materials, healthier products, and responsible sourcing, and designing space-efficient housing in well-located areas.

New housing does not always require new construction. Adapting underutilized buildings for residential use is an option that deserves greater attention. Reuse projects can provide additional benefits: they reactivate previously developed areas, preserve community spaces and heritage, support walkable neighborhoods, reduce vehicle dependence, and make use of existing roads and utilities.

For more information

- Visit [DEQ's Built Environment web page](#)
- Connect with us via the [program email](#)
- Join the [Built Environment Program's mailing list](#)

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Brownfields

Core functions

A brownfield is a vacant or underused property where actual or known environmental contamination makes it harder to expand, reuse, or redevelop. The Department of Environmental Quality helps remove environmental barriers to redevelopment by providing technical assistance and other services.

DEQ conducts site assessments to determine whether a property is contaminated and what steps may be needed to receive a No Further Action determination. Brownfields can also be investigated by municipalities or private parties under DEQ's Voluntary Cleanup Program. In most cases, these parties hire an environmental cleanup contractor to do the investigation and cleanup work, and DEQ reviews that work for compliance with state cleanup law. Property owners may also seek DEQ approval through the Independent Cleanup Pathway after completing an investigation or cleanup at a qualified simple site.

For parties looking to purchase a brownfield property, DEQ offers a Prospective Purchaser Agreement. A PPA limits the lessee's or buyer's future liability to DEQ for environmental cleanup of the property. In exchange for this liability protection, the lessee/buyer must commit to a contribution that provides a substantial public benefit — such as a defined amount of money or cleanup effort. DEQ's brownfield coordinators work with communities, organizations, and government agencies to support brownfield redevelopment. DEQ also helps local governments and nonprofits apply for grants from the U.S. Environmental Protection Agency and other sources.

When to contact

Contact the Brownfields Program as soon as you begin considering the purchase, renovation, or reuse of a property that may be a brownfield.

Process overview

For details on the cleanup process, see the DEQ Cleanup Fact Sheet later in this document.

Key takeaways

- Cleaning up and reusing brownfields reduces community exposure to contamination and supports neighborhood revitalization.
- There are three cleanup pathways available. Grant funding may also be available through EPA, Business Oregon, and other sources.
 - Independent Cleanup
 - Voluntary Cleanup
 - Site Response Program

For more information

- Visit DEQ's [Brownfields web page](#)
- Connect with us via the [brownfields program email](#)
- For information about financing related to brownfields, visit [Business Oregon's brownfields web page](#)

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Climate Equity and Resilience Through Action

Core functions

The Climate Equity and Resilience Through Action program supports efforts to reduce Oregon's greenhouse gas emissions and create benefits such as lower utility costs, increased housing production, and improved health. CERTA funds projects that reduce emissions in areas like transportation, buildings and materials, landfills, and food waste. Individuals, businesses, local governments, community-based organizations, and the nine federally recognized Tribes in Oregon may qualify for CERTA support. Eligibility depends on the type of project.

When to contact

Many CERTA programs offer rebates and grants. These programs may take time to process or may require upfront costs that are reimbursed later. Early communication with CERTA staff helps ensure that developers and partners can access opportunities to lower housing costs, reduce emissions, and connect homebuyers with additional incentives.

Examples of Work

- Supports expansion of zero-emission vehicle fleets and installation of charging stations
- Provides incentives for home developers to improve energy efficiency in homes and buildings
- Encourages building reuse and space-efficient housing strategies to reduce embodied carbon in the housing sector

Key takeaways

CERTA programs may support parts of housing development that increase efficiency while protecting human and environmental health.

For more information

- Visit [DEQ's CERTA page](#)
- Connect with us via our [program email](#)
- Join the [CERTA mailing list](#)

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Fact Sheet

Cleanup

Core functions

The Oregon Department of Environmental Quality Cleanup Program protects public health, safety, and the environment by addressing hazardous substances and petroleum contamination. Any discharge from a site that affects or could affect water, land, or air quality is regulated and may require permits. Not every hazardous substance cleanup requires DEQ review and approval. However, some property owners choose to seek DEQ review and approval so they can receive a "No Further Action" letter. This letter shows that cleanup requirements have been met. Leaking underground storage tanks need to be reported and cleanup with DEQ's oversight.

There are three pathways for property owners to get DEQ review and approval of a cleanup. See process overview below.

When to contact

Contact the Cleanup Program as soon as you know that your site needs hazardous substance cleanup. This applies whether you plan to purchase, reuse, or renovate the property.

Process overview

If a past release of hazardous substances poses a significant threat to human health or the environment, DEQ will require cleanup. All work plans and reports submitted to DEQ must be signed and stamped by a licensed professional: either a registered geologist or a professional engineer licensed in Oregon.

DEQ offers three pathways for property owners to complete a cleanup with DEQ review and approval:

- **Independent Cleanup Pathway:** For sites with low or medium environmental priority. The property owner completes the investigation and cleanup independently, then requests final DEQ approval.
- **Voluntary Cleanup Pathway:** For sites with low, medium, or high priority where the owner wants to work cooperatively with DEQ. DEQ oversees the investigation and approves the cleanup method through a collaborative process.
- **Site Response Program:** For sites with medium or high priority that may require enforcement. DEQ oversees the investigation and cleanup and selects the cleanup method.

High, medium and low environmental priorities are determined by DEQ staff and reflect an assessment of risks to public and environmental health; site history; known or suspected contaminants; and pathways of exposure, or ways that humans or environmental receptors could be exposed to site contamination.

- **High:** Eminent threat to people or the environment (e.g, contaminated wells, or dead fish)
- **Medium:** Impacts that need to be addressed but aren't widespread
- **Low:** Impacts that are localized to the property and can be easily managed

Before DEQ issues a "No Further Action" letter, every cleanup site must meet the standard of protecting public health, safety, welfare, and the environment. For the Voluntary Cleanup Pathway and the Site Response Program, DEQ also applies two additional principles when choosing a cleanup method: a set of five criteria (listed below), and consideration of future land use and cost.

The five criteria used to evaluate cleanup methods are:

- Effectiveness
- Practicality
- Long-term reliability
- Implementation risk
- Reasonableness of cost

A typical cleanup process has the following steps:

1. Remedial Investigation: DEQ oversees the property owner's investigation to identify what contamination is present, how much there is, and where it is located.
2. Risk Assessment: DEQ uses the investigation results to determine whether contamination levels exceed the state's health and environmental risk standards.
3. Feasibility Study: DEQ evaluates proposed cleanup methods using the five criteria listed above.
4. Record of Decision: DEQ issues a document called the Record of Decision that identifies the selected cleanup method. This document is finalized after a public review and comment period.
5. Cleanup: DEQ oversees and documents the cleanup as directed by the Record of Decision.
6. No Further Action letter: When DEQ confirms that cleanup is complete and meets the requirements of the Record of Decision, DEQ issues a No Further Action letter to the site owner. The regulatory process is then complete. Some sites may have long-term requirements recorded on the deed, such as ongoing monitoring or limits on development.

Key takeaways

- A completed cleanup and a DEQ No Further Action letter make a property easier to sell or be developed.
- Consider hiring an environmental consultant to help manage your cleanup. See DEQ's [Selecting an Environmental Consultant](#) fact sheet for guidance.

For more information

- Visit the [Environmental Cleanup Program web page](#).
- Connect with us via the [Cleanup Program email](#)

Non-discrimination statement

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Fact Sheet

Onsite Wastewater Management

Core functions

Oregon's Department of Environmental Quality's Onsite Wastewater Management Program, or Onsite, regulates the siting, design, installation, and ongoing operation and maintenance of septic systems. This oversight helps prevent septic system failures, which can release untreated sewage onto land, into groundwater and waterways, and create public health risks.

In areas where a municipal sewer system is not available, development must use onsite wastewater treatment systems, or septic systems, for sanitary disposal. A basic septic system includes a septic tank where solids settle and break down and fats, oils, and greases float. Between these two layers is the "clear zone" septic tank liquid that discharges to a drainfield to be treated by bacteria in the soil. More complex septic systems are installed in areas with high groundwater and/or poor soils. Examples include sand filter or alternative treatment technology systems, which treat the wastewater to a higher level prior to discharge to a drainfield or other soil absorption area.

A well-functioning septic system protects groundwater and surface water. A failing system can harm human health and damage natural resources.

Not every property is suitable for a septic system. There must be sufficient usable space for an initial septic system and a replacement septic system that can accommodate proposed sewage flows and meet necessary setbacks to public waters, wells, and other development. Small lots with high density development proposals may not be possible if public sanitary sewer is not available. Any size lot with a shallow water table or challenging soil conditions, such as compacted fill or a shallow restrictive layer, may also be unsuitable for a septic system.

When to contact

External housing production partners should speak with the local Onsite program when public sanitary sewer is not legally or physically available to a property and a septic system is needed. Contact the local Onsite program or local government as soon as you know a septic system may be required.

Process overview

There are two types of permits for facilities that use septic systems to manage their domestic wastewater disposal needs.

- Construction permit: This includes permits for new construction and for alterations and repairs of existing septic systems. They are valid for up to one year and, in many areas of the state, are issued by a local agent of DEQ, typically a county.
- Water Pollution Control Facilities permit: This is an operating permit and is required to construct and operate a system. They are issued for up to 10 years and must be renewed for the life of the system. This permit has compliance limits for sewage flow and waste strength and

often requires ongoing monitoring and reporting to DEQ. There are also specific requirements for who may design, inspect, and finalize the system.

A site evaluation is required if you are building on an undeveloped site that has never been evaluated for septic system approval and may be required if you want to replace an old system with a new system at a different location on the property. A site evaluation approves a site for the type and quantity of waste to be disposed.

While you do not need a Land Use Compatibility Statement before applying for a site evaluation, an affirmative LUCS is required before DEQ will issue a construction permit for new construction and alterations of existing septic systems.

Key takeaways

Septic systems can be a safe wastewater solution for certain properties with careful planning and development that do not have public sanitary sewer legally and physically available.

Some sites may not be suitable for a septic system, if they lack:

- Sufficient usable space
- Ability to meet required setbacks
- Capacity for proposed sewage flows
- Appropriate soil conditions or water table depth

Resources

- [Construction/Installation Permit Guide for Septic Systems](#)
- [Accessory Dwelling Units and Onsite Wastewater Treatment \(Septic\) Systems](#)

For more information

- Visit [DEQ's Onsite Program](#)
- Connect with your regional [Onsite septic staff or county agents](#)

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Fact Sheet

Engineering Plans and Specifications Review for Sewage Collection, Treatment, and Disposal Systems

Core functions

Before construction can begin on collection, treatment, and disposal systems for sewage that will serve housing developments, DEQ review and approval of plans and specifications is required by [Oregon Revised Statute 468B.055](#) and [Oregon Administrative Rule 340-052](#). DEQ only reviews private sewage lines on private property if the line is planned to serve more than one tax lot, either now or in the future.

When to contact

Contact DEQ for plan review as soon as you know you are moving ahead with your project and before your plans are final to ensure that any necessary changes requested by DEQ can be made prior to construction. DEQ's goal is to review designs within 30 days of a complete package submittal.

Process overview

DEQ needs the following before a review is started:

- Plans and specifications: DEQ reviews plans and specifications before they are final. Information on DEQ design standards may be found on the [DEQ Wastewater Engineering web page](#). For gravity sewer projects, 90% plans are typically acceptable. To prevent delays in final approval, earlier design stages are helpful for pressurized sewers, pump stations, or treatment plant upgrades.
- For sewer collection and treatment systems, payment of DEQ Technical Activities Fee in [OAR 340-045 Table 70 F](#). DEQ will assist in determining the appropriate fee.
- [Capacity Statement Form](#) completed by the owner of the wastewater treatment system indicating there is capacity to treat the wastewater generated by the project.
- [Land Use Compatibility Statement, or LUCS](#), signed by the local land use authority indicating the project complies with the local acknowledged comprehensive plan.

DEQ may exempt certain projects from review as follows.

- **When working in a municipality that has received an exemption from DEQ**
Exemptions from DEQ are available to municipalities provided certain requirements in [OAR 340-051-0045](#) are met. Please check with the city, county, or special district you are working in to determine if they have received an exemption from DEQ or contact DEQ. If you are a municipality and wish to be evaluated for exemption, please submit the [Exemption Request Form](#) to the DEQ regional engineer.
- **Repair and replacement projects**
Repair and replacement projects that use the same or similar equipment are typically exempt. This

allows operators to make repairs without delay. Contact DEQ if the project will change capacity of the system or change the nature of treatment or disposal.

- **Minor modifications on a case-by-case basis**

Minor modifications to existing facilities when the change will not significantly affect operation of the treatment or disposal system. A description of proposed minor modifications must be submitted to DEQ for consideration.

Key takeaways

- The more complete your initial packet for review is, the faster DEQ can work through the review.
- DEQ reviews plans before they are final to ensure that any necessary changes can be made prior to construction.
- You must submit your packet for review and any applicable fees through [Your DEQ Online](#).
- To help expedite the review, please provide a cover letter that includes:
 - A brief project description
 - The project timeline
 - A list of materials
 - The person or entity responsible for construction and inspection
 - The future owner of the system once it is built

For more information

Visit the [DEQ Wastewater Engineering website](#) for design standards and plan review information. For additional assistance, locate the DEQ contact by county.

Eastern Region: [Blair Edwards](#), 971-990-2216

Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler counties

Northwest Region: [Michael Pinney](#), 503-229-5310

Clackamas, Clatsop, Columbia, Multnomah, Tillamook, and Washington counties

Western Region: [Ranei Nomura](#), 971-301-3954

Benton, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk and Yamhill counties

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Fact Sheet

Regional Solutions Team

Core functions

Oregon's Department of Environmental Quality is a member of the [Governor's Regional Solutions Teams](#). Regional Solutions brings together the public, private, and civic sectors to address local problems and respond to emerging local needs. Regional Solutions Teams include representatives from multiple state agencies that work collaboratively with businesses, local governments, Tribal nations, and community-based organizations to create solutions that serve Oregon's residents.

Regional Solutions has representatives that cover each of Oregon's 36 counties. The counties are grouped into 11 regions that are tied to Oregon's federally designated Economic Development Districts. The regions include North Coast, Metro (Portland area), Mid-valley, South-valley/Mid-Coast, South Coast, Southern Oregon, North Central, Central, South Central, Northeast and Greater Eastern. Find more information about Oregon's Regional Solutions program and [DEQ's Regional Solutions Team](#).

When to contact

External housing production partners would speak to DEQ's Regional Solution staff when needing multiple permits or certificates from our agency, when needing assistance with funding, and when needing multi-agency coordination. External housing production partners may also reach out to the Governor's Regional Solution coordinators to engage with DEQ or other state agencies.

Examples of support

DEQ's Regional Solutions staff have assisted with housing projects throughout the state. Support may include assistance navigating permitting requirements, funding for wastewater system expansions, and reducing risk when redeveloping contaminated properties. We coordinate with Oregon's housing initiative led by the Department of Land Conservation and Development's Housing Accountability and Production Office.

Key takeaways

Contact Regional Solutions early when planning large developments. Be aware that most environmental permits are needed prior to starting construction. Plan additional time and funding if the housing project is located on a former industrial, commercial, agricultural, or forest site with possible contamination. Allow more time if the housing project site involves impacts to waterways, including wetlands, or lacks sufficient local utility capacity like wastewater, drinking water, or stormwater.

For more information

- Visit [DEQ Regional Solutions](#)

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