



State of Oregon Department of Environmental Quality

Frequently Asked Questions on Underground Storage Tank Cleanup Notices

The Oregon Department of Environmental Quality's [Leaking Underground Storage Tank Program](#) works with responsible parties to reduce contamination of soil and groundwater.

An open, or "unresolved" LUST site means that a release has occurred from a petroleum underground storage tank system that requires corrective action. If not corrected, the petroleum or other hazardous substances leaking from the tank can seep into soil and contaminate groundwater, a vital source of drinking water. A leaking tank can also present other health and environmental risks, including vapor intrusion into buildings and residences and potential for fire and explosion.

Responsible parties are required to investigate and cleanup releases from underground storage tanks to protect public health and the environment. Many of these [LUST sites](#) have been unresolved for decades.

DEQ is therefore notifying responsible parties of their open LUST sites and the steps they need to take to cleanup contaminated sites properly.

In addition, DEQ is contacting responsible parties to help expedite cleanup in response to the U.S. Environmental Protection Agency's goal for DEQ to close, or resolve more LUST sites, which occurs when DEQ issues a No Further Action decision.

Why am I receiving this notification?

The notification and cost recovery agreements are sent to current property owners. If there are other potentially responsible parties DEQ should be aware of, please contact your [regional office](#).

DEQ may designate a LUST site as high priority if there is significant potential for adverse impacts to public health and the environment. When DEQ designates a site as high priority, the requirement to cleanup the site is considered urgent. DEQ will contact the responsible party of these sites directly in addition to sending notifications.

I no longer own this property. Am I still responsible for cleanup?

A responsible party is usually the current owner or operator of the facility or property. However, previous owners or operators, or anyone who causes, contributes to or worsens the contamination, may be considered a responsible party as well.

What is a [cost recovery](#) agreement?

Oregon law (ORS 465.330) requires DEQ to recover all reasonable costs associated with the investigation and cleanup of contaminated sites from the responsible party(s). A cost recovery agreement contains details on DEQ's project oversight actions, as well as invoicing and payment requirements.

What happens after I sign the cost recovery agreement?

Once a cost recovery agreement is signed, the site is placed on a regional waitlist until DEQ can assign a project manager. Consult with a DEQ regional office about potential wait times. After a DEQ project manager is assigned, DEQ will provide a monthly cost recovery bill for project management costs. Please see the [Leaking Underground Storage Tank Cleanup Information Packet](#) for more information regarding DEQ's cost recovery.



An environmental consultant removing an old steel underground storage tank.

How much does DEQ's oversight cost?

The cost of DEQ's oversight depends on many factors, such as the degree and extent of contamination and the amount of DEQ oversight required. DEQ's oversight costs an average of \$200 per hour. Submitting complete and accurate work plans and reports to DEQ from experienced environmental consultants may reduce DEQ's costs. After a project manager is assigned, responsible parties can request an estimate for DEQ's oversight costs.

Why didn't DEQ notify me about this before?

DEQ notifies the responsible party upon receipt of a report of a release from an underground storage tank. The notification includes information and instructions on how to begin the cleanup process. It is then the responsible party's obligation to complete the cleanup or to notify any potential buyers of contamination during the sale of the property. All open LUST sites must be investigated and cleaned up.

DEQ will continue to oversee all open LUST sites until issuing a No Further Action decision. DEQ is also establishing an annual reminder process for responsible parties to ensure LUST sites are closed.

How long does it take to close the site with DEQ?

Once DEQ oversight begins, the time to cleanup and close the site varies based on factors encountered during the cleanup process such as the degree and extent of contamination. DEQ must review and approve the final cleanup report before issuing a No Further Action decision. Please contact your DEQ project manager for an estimated timeline.

Am I required to close this site?

Responsible parties are required to cleanup any leak from an underground storage tank in accordance with OAR 340-122-0217.

What happens if I don't do anything in response to this letter?

The letter from DEQ explains what action is required. If DEQ designated your site as high priority, signing a cost recovery agreement and initiating cleanup is required to avoid enforcement action. DEQ will provide advanced notice if urgent action is required.

How do I find my regional office contact?

If you have any questions or concerns, please contact your DEQ regional office:

Northwest Region

[Ximena Cruz Cuevas](#)

503-229-6811

Eastern Region

[David Anderson](#)

541-633-2012

Western Region

[Alyssa Leidel](#)

541-687-7440

Resources

- [General program information](#)
- [Cleanup Manual](#)
- [Tanks Cleanup Guidance](#)

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.
deqinfo@deq.state.or.us.



Collecting soil samples next to a leaking underground storage tank.