

19-8-107 Participation application -- Procedure.

- (1) To participate in the voluntary cleanup program an applicant shall:
 - (a) submit to the department an application and application fee under Subsection (2); and
 - (b) pay to the department all costs of the department's oversight of the voluntary cleanup.
- (2) An application submitted under this section shall:
 - (a) be on a form provided by the executive director;
 - (b) contain pertinent information regarding the applicant and the applicant's ability to perform the voluntary cleanup, including the applicant's financial capability;
 - (c) include pertinent information regarding the site, including property ownership, current property use, proposed property use, prior and present contact with regulatory programs that relate to the environmental condition of the property, and response action objectives;
 - (d) provide any other background information requested by the executive director;
 - (e) include an environmental assessment of the actual or threatened release of the contaminant at the site addressed by the application;
 - (f) be accompanied by an application fee as established under Section 19-8-117; and
 - (g) be submitted according to schedules set by department rules.
- (3) The environmental assessment required under Subsection (2) shall include:
 - (a) a legal description of the site;
 - (b) a description of the physical characteristics of the site;
 - (c) the operational history of the site to the extent known by the applicant;
 - (d) information of which the applicant is aware concerning the nature and extent of any relevant contamination or release at the site and immediately contiguous to the site, and where the contamination is located; and
 - (e) relevant information of which the applicant is aware concerning the potential for human and environmental exposure to contamination at the site.
- (4) If the executive director accepts an application fee, the department shall take action on the application in the order in which it is received, but in all circumstances within 60 days of the receipt of the application by the department.
- (5) Fees collected under this section shall be deposited in the General Fund in the Environmental Voluntary Cleanup Account created under Section 19-8-103.

Enacted by Chapter 247, 1997 General Session