

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY VOLUNTARY CLEANUP PROGRAM APPLICATION

Complete this application to apply and request assistance, review and oversight from the Utah Department of Environmental Quality (DEQ), through the Division of Environmental Response and Remediation (DERR) under the Voluntary Cleanup Program (VCP), pursuant to Title 19, Chapter 8 of the Utah Code. All applications will be reviewed to determine program eligibility. Incomplete or inaccurate applications may be rejected pursuant to Utah Code § 19-8-106. Please call (801) 536-4100 should you have any questions concerning the completion of this application.

Property Information:

Site Name _____

Address _____

City _____ State _____ Zip Code _____

Property Size (acres) _____

Property Tax Identification Number(s) _____

Legal Description and Site Map are required with the Environmental Assessment

Applicant:

(The Applicant is the person who submits an application to participate in a Voluntary Cleanup Agreement or who enters into a Voluntary Cleanup Agreement with the Executive Director or the Executive Director's designee. The term "Applicant," whether in upper or lower case, includes both the singular and the plural. Additional Applicants should complete the Additional Applicants Form attached to this application. Applicants are jointly and severally responsible for payment of DEQ costs for review and oversight.)

Applicant _____

Contact Person _____ Title _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ Email Address _____

Applicant is: () Individual () Business

Is the Applicant currently registered to conduct business in the State of Utah? ☐ Y ☐ N

Type of Business: () Corporation () LLC () Sole Proprietorship
() General Partnership () Limited Partnership

Entity Number and State of Creation*: _____

*Must include proof of current business registration.

Current Property Owner, if Different from the Applicant:

Owner(s) _____

Contact Person _____ Title _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ Email address _____

Other Contacts (i.e., Consultants/Attorneys):

Name(s) _____ Title _____

Organization _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ Email address _____

Property Use and Operator Information:

Current Property Use(s):

Proposed Property Use(s):

Previous Property Use(s) and Operator Information:

Involvement with Other Regulatory Programs:

Please describe all prior/current contact with local, state and/or federal regulatory programs or agencies which relates to the environmental condition of the property. Discuss any orders, permits, notices of violations, inspections or other oversight activities. Please also indicate if there have been no contacts with other agencies.

Please provide all state and federal identification numbers related to the property in question, including any solid waste, Underground Storage Tank, CERCLA (e.g., SEMS), and RCRA (e.g., RCRIS) registration numbers which have been assigned. Please also indicate if there are no assigned numbers.

Eligibility in the VCP- In accordance with Title 19, Chapter 8, any site is eligible for participation in the VCP except: 1) a treatment, storage, or disposal facility regulated under 42 U.S.C. 6901 et seq; 2) that portion of a site that is on the National Priorities List; and 3) any portion of a site for which an administrative, state, or federal enforcement action is existing or pending against the applicant for remediation of contaminants described in the application.

Does the Site meet any of the three exceptions listed above? ☐Y ☐N
If yes, please explain:

Environmental Assessment:

In accordance with Utah Code § 19-8-107(2)(e) and (3), an Environmental Assessment (EA) **must be included** with this application and contain:

1. a current legal description of the site;
2. the physical characteristics of the site;
3. the operational history of the site, to the extent the history is known by the Applicant;

4. information that the Applicant is aware of concerning the nature and extent of any relevant contamination and/or release at the site and immediately contiguous to the site, and where the contamination is located; and
5. relevant information Applicant is aware of concerning the potential for human and environmental exposure to contamination at the site.

Please include all information supporting the EA.

Applicant's Intended Response Action Objectives:

___ Not known at this time. Applicant wishes to receive guidance from VCP staff.

___ Cleanup to Background.

___ Cleanup to Generic Risk-Based Levels (may require a Site Management Plan and Environmental Covenant).

___ Cleanup to Site Specific Risk-Based Levels not relying on engineering or institutional controls (may require a Site Management Plan and Environmental Covenant).

___ Cleanup to Site Specific Risk-Based Levels which rely on engineering or institutional controls (may require a Site Management Plan and Environmental Covenant).

___ Other (explain)

Intent to Participate:

The Applicant requests oversight by DEQ of investigation and cleanup activities relating to possible contamination at the property described above and intends to enter in good faith a written agreement with DEQ to provide oversight under the VCP. This application does not constitute such an agreement, and neither DEQ nor the Applicant will be bound to proceed with the voluntary cleanup unless a Voluntary Cleanup Agreement (VCA) is executed. The Applicant should be aware, that in order for DEQ to issue a Certificate of Completion for an entire site, the Applicant must provide adequate information to document that the entire site meets the applicable standards. As an alternative, the Applicant may pursue a Certificate of Completion for only a portion of the site, as a partial response action area. The DEQ issues only one Certificate of Completion per site. The VCA will describe the project activities of each party. The DEQ will not proceed with the project, other than establishing program eligibility, until the VCA is executed.

With this application, the Applicant does not admit or assume liability for investigation or cleanup of the site. In addition, the Applicant may terminate the application at any time as allowed by statute. If the application is rejected, the DEQ will follow the procedures in Utah Code § 19-8-106.

Application Fee and Billing Information:

The Applicant must submit with this VCP application an application fee in the amount of \$2,500.00. The DEQ also bills for agency oversight of the work to be conducted under the VCA. This cost is in addition to the application fee. Both the application fee and DEQ's hourly rate are outlined in the Agency's approved Fee Schedule.

Invoicing for the voluntary cleanup should be directed to the person listed below:

Name(s) _____ Title _____

Organization _____ Phone () _____ Email _____

Address _____

City _____ State _____ Zip Code _____

Submit the Application and Fee:

Electronic:

The application fee may be paid on the DEQ/DERR's on-line payment portal shopping cart. In this scenario and in lieu of mailing the VCP Application, the DEQ can accept an electronic submission. The Applicant may submit the application, supporting documents (PDF preferred) and a copy of the application fee payment to the VCP Program Manager at: brees@utah.gov.

In Person Delivery, U.S. Mail, etc.:

Please submit the fee and supporting information to:

Attention: Voluntary Cleanup Program
UDEQ/DERR
P.O. Box 144840
Salt Lake City, Utah 84114

Applicant's Signature:

Correctness of Information, Authorization to Sign and Financial Capability

The undersigned affirms that the information contained in this application is true and accurate to the best of their knowledge. The undersigned represents that he/she is legally authorized to sign the application. By completing and signing this application, the undersigned affirms the Applicant's financial capability to assess the site, perform the cleanup, manage institutional controls and pay all costs, as allowed by statute, for the DEQ's oversight.

By: _____ Name: _____
(signature of authorized representative) (print or type)

Date: _____ Title: _____

Company: _____ Phone: () _____

Enclosures:

- Application Fee Receipt ☐ Y ☐ N
- Environmental Assessment ☐ Y ☐ N
- Legal Property Description ☐ Y ☐ N
- Proof of Business Registration ☐ Y ☐ N

Application Submittal Schedule

NOTE: An application may be submitted during normal DEQ Business Hours, Monday – Friday 8:00 a.m. to 5:00 p.m. Applications received after 5:00 p.m. or on Holidays or weekends will be processed the next business day.

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Program Application - Additional Applicants Form

Additional Applicant _____

Contact Person _____ Title _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ Email Address _____

Interest in the Property _____

Applicant is: () Individual () Business

Is the Applicant currently registered to conduct business in the State of Utah? ☐ Y ☐ N

Type of Business: () Corporation () LLC () Sole Proprietorship
() General Partnership () Limited Partnership

Entity Number and State of Creation*: _____

*Must include proof of current business registration

Correctness of Information, Authorization to Sign and Financial Capability

The undersigned affirms that the information contained in this VCP application is true and accurate to the best of their knowledge. Correspondences and billing will be directed towards the primary Applicant, but all applicants are jointly responsible for the work conducted, the representations made and the costs incurred under the VCP. By completing and signing this Additional Applicant Form, the undersigned affirms the Additional Applicant's financial capability to assess the site, perform the cleanup, manage institutional controls and pay all costs, as allowed by statute, for the DEQ's oversight.

By: _____ Name: _____
(signature of authorized representative) (print or type)

Date: _____