



Voluntary Cleanup Program/Brownfields

General VCP Program Fact Sheet

The Utah State Legislature passed the Voluntary Release Cleanup Program statute during the 1997 legislative session. This legislation created the Voluntary Cleanup Program (VCP). The program is administered by the Department of Environmental Quality (DEQ), Division of Environmental Response and Remediation (DERR). The purpose of the program is to encourage the investigation and cleanup of sites where there has been a suspected or confirmed contaminant release threatening public health and the environment.

Application:

- To apply, a prospective applicant must submit a formal application, using the DEQ standard application form, along with a \$2,500 application fee.
- An Environmental Assessment (EA) is required and must accompany the VCP application.
- The DEQ reviews the application for completeness and determines eligibility for the program. The grounds for rejection of an application are defined in Section 19-8-105.
- If eligible, a review of the Environmental Assessment will be initiated while the DEQ and applicant work to sign an agreement. Ineligible applications will be returned with an explanation of the issues and concerns identified.

Voluntary Cleanup Agreement:

- A Voluntary Cleanup Agreement (VCA) must be executed before the DEQ will complete review of the EA and any workplans or reports relating to site characterization and cleanup. The VCA outlines the terms and conditions of the cleanup, defines the applicant's proposed future land use and provides for reimbursement of the DEQ's oversight costs.

Site Characterization:

- Site characterization should be performed at all voluntary cleanup sites to evaluate the site, delineate the nature and extent of contamination, including off-site, and facilitate a Remedial Action Plan. Samples should be collected from all affected media.

Public Comment:

- Prior to initiating remedial actions, the public must be afforded the opportunity to review and provide comment on the proposed remedy. Public participation in the form of a 30-day public comment period is required prior to acceptance of a Remedial Action Plan (RAP).

Remedial Action:

- Remedial action should be performed at sites where contamination has been detected at levels that pose an unacceptable risk to human health and the environment for the land use established in the VCA. The remedy is proposed in a RAP and cannot be implemented until completion of the public comment period. Institutional and engineering controls may be a component of the remedy.

Certificate of Completion:

- A Certificate of Completion (COC) is issued upon a successful site cleanup. The COC provides a release of liability under Section 19-8-113.
- For sites listed on the EPA SEMS database, the DEQ will petition EPA at the request of the VCP Applicant to Archive sites that successfully complete the program and receive a COC.