

MEMORANDUM

TO: The Utah Department of Environmental Quality

FROM: Amanda Smith, Executive Director 
Utah Department of Environmental Quality

DATE: June 4, 2012

SUBJECT: Signature Authority for Environmental Covenants

BACKGROUND

On August 27, 2007, Richard Sprott, the former Executive Director of the Utah Department of Environmental Quality (UDEQ), issued a memorandum identifying designees authorized to sign environmental covenants on behalf of the UDEQ under the Uniform Environmental Covenants Act, Title 57, Chapter 25, of the Utah Code (the Act). The purpose of this memorandum is to update the list of designees with signature authority. This update is necessary because of changes to the Environmental Quality Code, Title 19 of the Utah Code, effective May 8, 2012, that transferred various authorities from the executive secretaries of the UDEQ's boards to the UDEQ's division directors.

DIRECTIVE

- A. The Director of the Division of Environmental Response and Remediation (DERR) may sign environmental covenants for environmental response projects conducted pursuant to:
 1. The Underground Storage Tank Act,
 2. The DERR's Memorandum of Understanding with the Division of Water Quality (DWQ) for petroleum releases from above ground storage tanks,
 3. The Hazardous Substance Mitigation Act (when oversight is provided by the DERR),
 4. The Voluntary Cleanup Program (when oversight is provided by the DERR),
 5. The Comprehensive Environmental Response, Compensation, and Liability Act (when there has been substantial and meaningful involvement by the UDEQ),
 6. Any other authority (when oversight is provided by the DERR).
- B. The Director of the Division of Solid and Hazardous Waste may sign environmental covenants for environmental response projects conducted pursuant to the Solid and Hazardous Waste Act or otherwise pursuant to the Division of Solid and Hazardous Waste's oversight.
- C. The Director of the Division of Water Quality may sign environmental covenants for environmental response projects conducted pursuant to the Water Quality Act or otherwise pursuant to the Division of Water Quality's oversight.
- D. In addition, for administrative convenience, the Executive Director or the Deputy Director may sign an environmental covenant for any environmental response project for which there was UDEQ oversight or participation.