

19-6-317 Remedial investigation report -- Remedial action plan implementation -- Legal remedies.

- (1) Upon receipt of a remedial investigation report for a national priority list site, the executive director shall:
 - (a) review the report;
 - (b) provide a period for public comment;
 - (c) issue an order defining a remedial action plan consistent with CERCLA for the facility; and
 - (d) follow the procedures established by the National Contingency Plan to avoid inconsistent state and federal action.
- (2)
 - (a) To implement the remedial action plan, the executive director shall seek to reach an agreement with all responsible parties to perform the remedial action.
 - (b) The executive director may define in the agreement the remedial action required and the time limits for completion of the remedial action.
 - (c) If the responsible parties fail to perform as required under an agreement entered under the authority of this section, the executive director may take action to enforce the agreement.
- (3)
 - (a) If the executive director is unable to reach an agreement with one or more responsible parties to perform remedial action, he may order all responsible parties to perform the remedial action.
 - (b) The executive director may define in the order the remedial action required and the time limits for completion of the remedial action.

Renumbered and Amended by Chapter 112, 1991 General Session