

19-6-315 Remedial investigations of scored sites -- Parties involved -- Powers of the executive director.

- (1) All remedial investigations conducted under the authority of this section shall:
 - (a) meet the substantive requirements of CERCLA; and
 - (b) include recommendations for remedial action.
- (2)
 - (a) After determining that a hazardous substance release is occurring from a scored site and identifying responsible parties under Section 19-6-312, the executive director shall make reasonable efforts to reach an agreement with the identified responsible parties to perform a remedial investigation.
 - (b) The executive director may define in the agreement the scope of the investigation, the form of the report, and the time limits for completion of the investigation.
 - (c) If the potentially 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 a remedial investigation, or determines that the remedial investigation performed by responsible parties does not meet the substantive requirements of CERCLA, he may direct the department to conduct or correct the remedial investigation.
 - (b) The executive director may recover the costs incurred in conducting a remedial investigation from responsible parties according to the standards contained in Section 19-6-316.

Renumbered and Amended by Chapter 112, 1991 General Session