

STATEMENT OF PURPOSE

RS29013C1 / S1264

DEQ's Voluntary Cleanup Program (VCP) was created in 1996 by the Idaho Land Remediation Act (Idaho Code § 39-7201, et seq.) to encourage innovation and cooperation between the state, local communities, and private parties to revitalize properties with hazardous substance or petroleum contamination. The program has resulted in the successful cleanup of many contaminated sites, however, under the current statute; eligibility to participate is limited. The proposed statutory changes to Chapter 72 expand who is eligible to participate in the VCP to include responsible parties and broaden the definition of eligible sites beyond industrial and commercial to include residential. Currently, DEQ must deny participation in the VCP for those who do not fit the definition of an eligible participant even though it would be beneficial to the property owner, the impacted community, and the state for them to be included. By expanding program eligibility, DEQ expects to increase the number of sites in the VCP resulting in cleanup and redevelopment of more sites in the future. Changes will also clarify that the VCP includes investigation of sites with perceived contamination, not just cleanup of sites with known contamination. This assists with the due diligence of property redevelopment. Both investigation and cleanup help promote the economic revitalization of property for community benefits. This program provides those persons interested in voluntarily cleaning up contaminated sites with certainty and assistance from DEQ and limits their liability.

FISCAL NOTE

This legislation will have no impact on the state's General Fund. This program is self-funded by the participants; therefore, the proposed changes to Idaho Code § 39-72 will not require any additional funding. Over the past 5 years, DEQ has been reimbursed on average approximately \$9000 per year for oversight work associated with this voluntary program.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).