



ADEQ received stamp:

UNDERGROUND STORAGE TANK (UST) STATE LEAD CORRECTIVE ACTION APPLICATION

Facility Information

UST Facility Address: \_\_\_\_\_

ADEQ-assigned Facility ID Number (if known): 0-0

Is this currently an operating service station?  Yes  No

If no, what is the current use of the property? \_\_\_\_\_

Applicant Status - Who are you?

(Note: If you are not at least one of the persons identified below, you are not eligible for this program)

Select all that apply:  UST Owner  UST Operator  Property Owner  Lessee

1) Applicant Name: \_\_\_\_\_

2) Address: \_\_\_\_\_

3) Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Leaking UST Information

Is there an open leaking UST case at your facility?  Yes  No (If "No", you are not eligible for this program)

ADEQ-assigned release number (if known): \_\_\_\_\_ Date of the earliest open UST release: \_\_\_\_\_

Financial Responsibility (FR) Information

If you are an UST owner and/or UST operator, please answer the following questions regarding financial responsibility:

1) Do you believe that the release predated your responsibility to demonstrate financial responsibility? Note: You can check when FR was required by using this link: <http://azdeg.gov/financial-responsibility-compliance-deadlines-time-barred-claims>

Yes (skip to question 4)  No

2) Did you rely on UST insurance to meet FR requirements at the time of the release?  Yes  No

If yes, please answer the following questions:

a) Dates the UST insurance was in effect: \_\_\_\_\_

b) Does the UST insurance policy have a deductible of \$50,000 or greater?  Yes  No

c) Did you file a Notice of Loss or otherwise file a claim with the insurance company?  Yes  No

If yes: Date claim was made: \_\_\_\_\_

Please select the appropriate response:

- Insurance approved the claim on \_\_\_\_\_
- Insurance denied the claim on \_\_\_\_\_
- I am still pursuing the claim with the insurance company
- I am requesting ADEQ assistance to pursue insurance coverage

**Provide copies of all documents supporting your answers to the previous questions, including:**

- Complete insurance policy (if not already on file with ADEQ)
- Insurance claim
- Correspondence with Insurer (i.e. Denial letter OR Evidence of continued pursuit of coverage)

3) Did you have a Financial Assurance Mechanism other than UST insurance at the time of the release?

- Yes  No

**If yes, please provide copies documenting the form of Financial Assurance Mechanism (if not already on file with ADEQ)**

4) If ADEQ determines that you are not eligible for preapproval program, you may still be eligible for financial assistance based on a financial need evaluation.

- I am requesting a financial need evaluation and settlement
- I am not requesting a financial need evaluation and settlement

# State Lead Program Acknowledgement

Please sign below to acknowledge that you have read the following information:

- 1) ADEQ cannot predict when site work will be started because of a number of factors including:
  - a) Availability of funding – The State Lead Program corrective actions are financed by state and federal funds that are allocated to the program. The availability of these funds affect when the State Lead Program can start performing corrective actions at the LUST site.
  - b) Risk prioritization – The State Lead Program uses public health and environmental risk factors when prioritizing the order in which the LUST sites are addressed (see Arizona Revised Statutes [A.R.S.] § 49-1018). For example, a LUST site with groundwater contamination that has affected a drinking water well would rank higher and be addressed prior to a site with minor soil contamination. Please note that the application date has no bearing on the site’s ranking.
- 2) ADEQ cannot predict when corrective actions will be completed until cleanup is initiated and then, estimates will be based on the degree and extent of contamination, site-specific conditions, and the availability of funding.

Note: The location and magnitude of the release – A small UST release that is located in easily accessible shallow soil may be cleaned up in a few days, whereas a UST release that has resulted in extensive groundwater contamination may take years to remediate.

- 3) If ADEQ has determined that you were the UST owner or operator at the time of the release, the existence of a corrective action agreement with the Department does not relieve you of any liability for the release.

Additionally, the existence of a corrective actions agreement does not relieve you of liability for costs incurred by the Department that are not eligible or within the amounts allowed under A.R.S. § 49-1051(M).

If corrective action costs exceed the amount allowable under A.R.S. § 49-1051(M) or you do not meet eligibility for that funding, and you are financially incapable of paying those costs, you may request a financial hardship settlement in accordance with A.R.S. § 49-1017.01.

- 4) If you were not the UST owner or operator at the time of the release, you may be subject to a lien on your property for an amount not to exceed the increased property value. See A.R.S. § 49-1056.

Signature: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Date: \_\_\_\_\_

## UST PROGRAM APPLICATION SUBMITTAL INSTRUCTIONS

**Important:** Submittal of a complete and accurate application may allow for more timely review of your submittal. ADEQ may request further information or clarification of the information received in order to process the application.

### HOW TO SUBMIT:

You may submit the application electronically or hard copy.

For electronic submittals, email the application and all attachments to [uststatelead@azdeq.gov](mailto:uststatelead@azdeq.gov).

For hard copy submittals, mail or hand-deliver the application and all attachments to the below address:

Attention: UST - State Lead Program  
Arizona Department of Environmental Quality  
1110 West Washington Street  
Phoenix, AZ 85007

Note: A hard copy is not required to be submitted to ADEQ if you submitted the application, all attachments, and signature pages by email.