



## Instructions for Completing a Voluntary Remediation Program Application

### General Instructions

This is an application for entering a site into the Arizona Department of Environmental Quality (ADEQ) Voluntary Remediation Program (VRP). In advance of submitting the application, please note the following:

- The VRP has an extensive list of Frequently Asked Questions (FAQs) published at <https://www.azdeq.gov/vrp-faqs>. Please review these FAQs and call with questions prior to submitting your applications.
- Please contact the VRP at [vrp@azdeq.gov](mailto:vrp@azdeq.gov) with questions or for clarifications, prior to submitting your application.

### Explanation of the Application Sections

- 1 VRP Program.** The applicant must provide information on the VRP application fee.
- 2 Applicant Information.** The Applicant must provide the name and contact information for the Applicant, authorized representatives/consultant, billing contact, and property owner.
- 3 Site/Facility Information.** The Applicant must provide information about the site to include the location of the site, latitude/longitudes, a general site location map, and a map illustrating the general boundaries of the site or portion of the site that has been or is proposed to be characterized and/or remediated.
- 4 Characterization and Remedial Action Activities.** The Applicant must provide information regarding any characterization or remedial action activities proposed, in progress, or completed. This includes the media type, remediation goals (if known), and contaminants of concern.
- 5 Verification of VRP Eligibility.** The applicant must provide information required by Arizona Revised Statutes to determine the eligibility of the site to enter the VRP.
- 6 Additional Information.** The Applicant may provide additional information pertaining to all sections of the Application.
- 7 Voluntary Remediation Program Agreements.** Applicant(s) signatures are required to attest all information contained in the Application is true and accurate to the best of his/her knowledge, and agree to the terms defined in the respective Agreements (*i.e. Waiver of ADEQ/UST Revolving Fund Reimbursement Agreement, Property Access Agreement, and Voluntary Remediation Agreement*).

### General Application Process

- 1** Applicant elects to utilize the VRP, who will provide the regulatory assistance needed to obtain closure of the site or portion of site.
- 2** Applicant reviews the Arizona Revised Statutes (A.R.S.) and Arizona Administrative Code (A.A.C.) related to VRP; A.R.S. §§ 49-171 through 49-188 and A.A.C. R18-7-501 *et seq.* (Fees and billing associated with VRP).
- 3** Applicant completes and submits **one electronic copy** of the application along with any electronic copies of reports to [VRP@azdeq.gov](mailto:VRP@azdeq.gov). **No hard copy is necessary.**

- 4 Applicant sends a \$2,000 non-refundable application fee via US Mail. This fee shall be in the form of a company check, cashiers check, certified check, or money order made payable to the State of Arizona and mailed directly to the ADEQ. The VRP will not review an application until this fee is received. The fee will cover the VRP's costs to review the application and determine eligibility.
- 5 VRP reviews application for completeness and eligibility.
- 6 If necessary, VRP requests additional information from Applicant.
- 7 Applicant provides information and application is deemed complete.  
Site is accepted into the VRP and the VRP provides the Applicant with an "VRP Acceptance Letter". Please note, an additional \$4,000 retainer is required upon acceptance into the VRP. A deposit request will be sent with the Acceptance Letter. Work plans or respective reports will not be reviewed until ADEQ receives this payment.
- 8 A VRP Project Manager is assigned to site and will contact the Applicant to set up a kick-off meeting.

### **Application Fee**

A \$2,000 non-refundable application fee is required at the time the application is submitted to VRP for review. **Please use the attached template as a cover letter to accompany your payment.** The VRP will not review an application until this fee is received.

### **Applicant and Property Owner**

The Applicant and property owner(s) (if different) shall sign the respective agreements cited in the Voluntary Agreement section of the Application. It should be noted that the Property Access Agreement **requires** notarization. Please note the VRP **will** accept electronic notarization.

### **How Long Does the Application Process Take?**

In accordance with A.R.S. § 49-174, VRP has sixty days to make a determination if the Application is denied, incomplete, or accepted.

[DATE]

Arizona Department of Environmental Quality

Attention: Accounts Receivable

1110 W Washington Street

Phoenix, Arizona 85007

**Re: VRP Application Fee Transmittal- [SITE NAME]**

ADEQ:

Enclosed is a check for the \$2,000 VRP Application Fee for the above-mentioned site located at [ADDRESS]. The VRP Application was submitted via email on [DATE].

Thank you,

[SIGNATURE]

[NAME]

[TITLE]

[COMPANY]



# Voluntary Remediation Program Application

## 1.VRP Program

VRP Application Fee: [A.R.S. §§ 49-173(A)(7) and 49-179; A.A.C. R18-7-502]

**The non-refundable \$2,000 Application fee must be sent to ADEQ by U.S. Mail at the same time this application is submitted to [VRP@azdeq.gov](mailto:VRP@azdeq.gov). Please do not submit more than \$2,000 with the application.**

\$2,000 fee mailed on \_\_\_\_\_

To help avoid delay of site acceptance, please review the attached Application Instructions and the VRP FAQs at <https://www.azdeq.gov/vrp-faqs>. If you have any questions regarding eligibility requirements or application elements, please contact the VRP at (602) 771-1612 or [VRP@azdeq.gov](mailto:VRP@azdeq.gov) prior to submittal.  
**Please note the Application fee is non-refundable.**

## 2. Applicant Information (A.R.S. § 49-173)

### 2.1. Applicant (A.A.C. R18-7-501)

Check if Property Owner  Check if Applicant is an Attorney or Legal Counsel<sup>a</sup>

Company Name: \_\_\_\_\_  
 Mr.  Mrs.  Ms.  Dr. | First Name: \_\_\_\_\_ | MI: \_\_\_\_\_  
 Last Name: \_\_\_\_\_ | Title: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ | Cell Phone: \_\_\_\_\_  
 E-mail address: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ | State: \_\_\_\_\_ | Zip Code: \_\_\_\_\_

Nature of Relationship to the Site: \_\_\_\_\_  
 Statutory Agent (on file with Arizona Corporation Commission): \_\_\_\_\_

Company Name: \_\_\_\_\_  
 First Name: \_\_\_\_\_ | Middle Initial: \_\_\_\_\_ | Last Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ | State: \_\_\_\_\_ | Zip Code: \_\_\_\_\_

### 2.2. Applicant's Authorized Representative (e.g. environmental consultant, attorney)

Check if Authorized Representative is an Attorney or Legal Counsel<sup>a</sup>

Company Name: \_\_\_\_\_  
 Mr.  Mrs.  Ms.  Dr. | First Name: \_\_\_\_\_ | MI: \_\_\_\_\_  
 Last Name: \_\_\_\_\_ | Title: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ | Cell Phone: \_\_\_\_\_  
 E-mail address: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ | State: \_\_\_\_\_ | Zip Code: \_\_\_\_\_

Describe Representative's Authority (e.g.: has authority to speak directly to VRP Project Manager):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### 2.3. Applicant's Billing Information

Check if Billing Agent is an Attorney or Legal Counsel<sup>a</sup>

Check if Billing Agent is same as Applicant  Check if Billing Agent is same as Authorized Representative

Company Name: \_\_\_\_\_  
 Mr.  Mrs.  Ms.  Dr. | First Name: \_\_\_\_\_ | MI: \_\_\_\_\_



**3. Site/Facility Information (A.R.S. § 49-173) (CONTINUED)**

Provide a map illustrating the area and boundaries of the site or portion(s) of the site proposed to be characterized and/or remediated. (check if attached)

**4. Characterization and Remedial Action Activities**

**4.1. Characterization and Remedial Actions (A.R.S. §§ 49-173 and 49-175)**

Please attach any historical reports (e.g. Phase I, Phase II, Site Characterization Report, etc.).

Indicate if site characterization is:

Proposed  In Progress  Completed (subject to VRP verification)

Indicate if remediation is:

Proposed  In Progress  Completed (subject to VRP verification)

If applicable, provide a description of historic site characterization and/or remedial activities conducted (in process or completed) at the site or portion(s) of site. Please use Section 6 for additional space.

Based on site characterization and remedial action activities completed to date, Volunteer plans to submit (select one):

Work Plan for Characterization  Work Plan for Remediation  NFA/CNFA

**4.2. Target Media (check all that apply)**

Soil  Surface Water  
 Sediment  Indoor Air  
 Groundwater  Landfill Waste

**4.3. Remediation Goals (A.A.C. R18-7-203(A) check all that apply)**

Background (*applies to soil only*)  
 Pre-Determined  
 Site-Specific<sup>a</sup>  
 Aquifer Water Quality Standards  
 Surface Water Quality Standards  
 Intended cleanup level(s) not known at this time

<sup>a</sup> - The VRP has specific requirements depending on the type of risk assessment that will be conducted. Furthermore, the VRP has the authority to seek reimbursement from the Applicant for a third party review of any risk assessment submitted to the agency Please contact the VRP ahead of submitting an application that includes selection of a Site-Specific Risk Assessment as a remediation goal. (Ref: A.R.S. § 49-179(D) & A.A.C. R18-7-504(B)(2))

**4. Characterization and Remedial Action Activities (CONTINUED)**

4.4. Contaminants of Concern (Note: COCs must have an applicable Arizona regulatory cleanup level to be eligible for a No Further Action determination)

General Contaminant Category: (check all known or suspected)

- Metals  Polynuclear Aromatic Hydrocarbons  Waste Oil  Petroleum-related Compounds<sup>b</sup>  Pesticides
- Semi-Volatile Organic Compounds  Volatile Organic Compounds  Chlorinated Solvents<sup>b</sup>
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

<sup>b</sup> - When evaluating petroleum-related compounds and/or chlorinated solvents in the VRP, all petroleum-related compounds and/or chlorinated solvents must be part of the initial evaluation. The list of chemicals can be truncated to include only those chemicals of concern (COCs) identified after characterization data show the presence (or absence) of given COCs.

**5. Verification of VRP Eligibility (A.R.S § 49-172)**

**5.1. VRP Eligibility**

Please verify that the site is eligible for the VRP by checking the appropriate response to the eligibility requirements specified in A.R.S. § 49-172(B) and listed below. If you respond “yes” to any of the remedial activities listed below, contact the VRP for assistance.

Are remedial activities subject to:	<u>YES</u>	<u>NO</u>
1) Corrective action at or closure of a hazardous waste facility, that has qualified for interim statutes or to which a permit has been issued pursuant to A.R.S. § 49-922;	<input type="checkbox"/>	<input type="checkbox"/>
2) A corrective action at a Leaking Underground Storage Tank (UST) site pursuant to A.R.S. § 49-1005, unless the person waives any right to reimbursement from the ADEQ/UST Revolving Fund. Answer “No” to this question if the applicant and property owner agree not to seek reimbursement from the ADEQ/UST Revolving Fund for Leaking UST corrective actions, or no USTs are found on site. <b>In all cases, if the Applicant answers “No” to this question, the “Waiver of ADEQ/UST Revolving Fund Reimbursement” must be completed.</b>	<input type="checkbox"/>	<input type="checkbox"/>
Are remedial actions required by the terms of any of the following:	<u>YES</u>	<u>NO</u>
1) A written agreement between the Applicant and the Director entered into before the date of the application;	<input type="checkbox"/>	<input type="checkbox"/>
2) A judicial judgment or decree;	<input type="checkbox"/>	<input type="checkbox"/>
3) An administrative order issued before the date of the application;	<input type="checkbox"/>	<input type="checkbox"/>
Are remedial actions:	<u>YES</u>	<u>NO</u>
1) Sought to be required in the complaint in a judicial action filed and served by the State of Arizona before the date of the application;	<input type="checkbox"/>	<input type="checkbox"/>
2) Is the site or portion of the site listed on the Water Quality Assurance Revolving Fund (WQARF) Registry [see A.R.S. § 49-287.01(D)] or located within a WQARF boundary area and addresses the same contaminant(s) of concern. Specifically, remedial actions at a site or portion of a site listed on the registry maintained pursuant to A.R.S. § 49-287.01, subsection D that address a contaminant of concern at that site, except that the ADEQ may accept an application under this article for remediation of a site or a portion of a site for which a preliminary investigation has been commenced or completed pursuant to A.R.S. § 49-287.01 but that has not been listed on the registry maintained pursuant to A.R.S. § 49-287.01, subsection D.	<input type="checkbox"/>	<input type="checkbox"/>

**5. Verification of VRP Eligibility (A.R.S § 49-172) (CONTINUED)**

**5.1. VRP Eligibility (CONTINUED)**

If you have answered “No” to all of the above items, your site may be eligible for participation in the VRP. If you have any questions regarding eligibility requirements or application elements, please contact the VRP prior to submittal. Please note the Application fee is non-refundable.

**5.2. Actions to be Suspended. (A.R.S. § 49-173)**

Check if site is being referred to VRP by another ADEQ program.  Not Applicable

ADEQ Program:

If applicable, list the enforcement or other actions the Applicant is proposing to be suspended by being accepted into the VRP.

**6 Additional Information** *Please include the Section reference.*

Empty text area for additional information.

**7. Voluntary Remediation Program Agreements**

**7.1. Waiver of ADEQ/UST Revolving Fund Reimbursement Agreement (signatures are mandatory; A.R.S. § 49-172)**

The Applicant and property owner (if different from the Applicant) shall not seek or request reimbursement from the ADEQ/UST Revolving Fund for LUST corrective actions performed or approved under the Voluntary Remediation Program.

By:	Name:	Date:
<i>(Applicants Signature)</i>	<i>(print or type)</i>	

The property owner must sign, if different from the Applicant.

By:	Name:	Date:
<i>(Property Owner's Signature)</i>	<i>(print or type)</i>	

**7.2. Property Access Agreement (A.R.S. § 49-173 and 188)**

This Environmental Access Agreement ("Agreement") is entered into by and between the Arizona Department of Environmental Quality ("ADEQ") and \_\_\_\_\_ ("Owner"). Owner and ADEQ are referred to herein as the "Parties". This access agreement grants ADEQ a right of entry to:

Property Address: \_\_\_\_\_ ("Property")

Parcel Numbers: \_\_\_\_\_

1. Grant of Right of Entry: \_\_\_\_\_ ("Owner"), holds legal title to the Property and hereby grants permission, in the form of this license, to the Arizona Department of Environmental Quality ("ADEQ") and its representatives, authorized agents, attorneys, investigators, consultants, advisors, and contractors to enter on the Property to conduct the following remedial, response, and/or corrective actions ("Activities"):

- Verify that the work is being performed in accordance with the work plan approved pursuant to A.R.S. § 49-177
- Verify that the work has been performed in accordance with the report submitted pursuant to A.R.S. § 49-181
- ADEQ's review may include field inspection and reasonable sampling

2. Other Material Conditions:

A. \_\_\_\_\_ hereby grants this access agreement as a material condition of being accepted into the VRP program. Failure to provide access may serve as grounds for removal from VRP.

B. If the applicant is different from the Owner, the applicant shall secure the Owner's signature on this document, granting right of entry. At ADEQ's request, the Owner, or his authorized agent, shall unlock any entry gate or door to the property and /or remove any lock from any onsite structures or wells.

C. ADEQ will give Owner at least three (3) days prior notice of its intent to enter on the Property. Owner, or [his, her, its] authorized agent, will open any entry gate or door to and/or remove any lock on any applicable well on the Property.

D. Owner and Owner's agents, employees, contractors, invitees, and guests shall not hinder or interfere with the Activities and shall not damage or tamper with any equipment, wells, or other property used in connection with the Activities. ADEQ shall bear the cost of its Activities, unless and until it is determined who is responsible for the release or threatened release of hazardous substances requiring ADEQ to conduct its Activities and is liable for such costs. ADEQ shall comply with all applicable environmental, health and safety standards and regulations when on the Property.



**7. Voluntary Remediation Program Agreements (CONTINUED)**

**7.3. Voluntary Remediation Agreement**

The Applicant as identified in Section 2.1 of this Application agrees to the following:

**7.3.1. Reimbursement of ADEQ Costs; A.R.S. § 49-173(A)(8)(b)**

The Applicant agrees to reimburse ADEQ for all reasonable and necessary costs of actions taken by ADEQ, pursuant to A.R.S. § 49-173 through A.R.S. § 49-182, and A.R.S. § 49-185. Reimbursable costs include time spent by the ADEQ employees and the costs of goods and services contracted by ADEQ to carry out the activities described in the VRP authorities listed above (A.A.C. R18-7-504). The hourly reimbursement rate for ADEQ staff is \$110 per hour (A.A.C. R18-7-505). The Applicant is responsible for costs associated with the services of any contractor retained by ADEQ. The Applicant agrees to pay all costs incurred in collecting any amounts due under this agreement, including ADEQ's attorneys' fees, and other goods and services (A.A.C. R18-7-504). If an application is withdrawn or terminated from the VRP, the Applicant shall reimburse ADEQ for all costs incurred prior to the withdrawal or termination (A.A.C. R18-7-507).

**7.3.2. Advance Deposits; A.R.S. § 49-173(A)(8)(e)**

The Applicant agrees to provide an initial deposit of \$4,000 to ADEQ [A.A.C. R18-7-503(A)], to be submitted with the Applicant's VRP work plan or request for NFA or Conditional NFA. The Applicant's work plan (A.R.S. § 49-175) or NFA/CNFA report (A.R.S. § 49-181) will not be reviewed until VRP confirms receipt of the funds. The deposit must be in the form of a company check, cashier's check, certified check, or money order made payable to **State of Arizona**. ADEQ will establish a unique site-specific deposit account and will charge all incurred reimbursable costs attributable to the Applicant's site against the account. If the Applicant's account falls below \$1,000, ADEQ will request the Applicant deposit an additional \$4,000. If the Applicant fails to deposit funds within the thirty (30) days request, ADEQ will issue a notice of deficiency [A.A.C. R18-7-503(F)]. If Applicant fails to deposit the request funds within sixth (60) days of the notice of deficiency, ADEQ may terminate the applicant's site from participation in the VRP [A.A.C. R18-7-503(F)]. For more information please review A.A.C. R18-7-503.

**7.3.3. Work Plan Schedule; A.R.S. § 49-173(A)(8)(c)**

The Applicant agrees to carry out the tasks described in the work plan pursuant to A.R.S. § 49-175 in accordance with the schedule provided in the work plan, or to submit a report pursuant to A.R.S. § 49-181.

**7.3.4. Meeting and Confering with ADEQ; A.R.S. § 49-173(A)(8)(d)**

The Applicant agrees to meet and confer with the ADEQ regarding the progress of the tasks performed in accordance with the work plan, approved pursuant to A.R.S. § 49-177, if applicable.

**7.3.5. Notice of Referral; A.R.S. § 49-178(D)**

Please note that upon closure, withdrawal, or termination from the VRP, ADEQ will refer any unresolved environmental concerns to the appropriate ADEQ program for further investigation and/or action.

**7.3.6. Compliance of Work Performed; A.R.S. §§ 49-175(A)(8), 49-177(D) and 49-181(C)**

(1) All work performed within the VRP program shall comply with any and all applicable corrective or remedial action requirements of any applicable permit required under this title. (2) All remediation actions must be consistent with Title 45, Chapter 2 - Groundwater Code. (3) All work performed must comply with any and all otherwise applicable laws and rules.

**7.3.7. Correctness of Information and Terms and Conditions Agreement Statement**

I certify under penalty of law that this application and all attachments are, to the best of my knowledge and belief, true, and complete. I also agree to these terms and conditions. I am aware there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations.

**Applicant's Signature**

By:	Name:	Date:
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*(Applicant's Signature)*

*(Print or type)*