

67401.12 Procedures for Filing Claims Against the Expedited Site Remediation Trust Fund

(a)

Within 3 months after the Department has approved a request for a certificate of completion pursuant to H&SC Section 25398.15 (as it read on June 26, 2012), responsible persons who entered into and are in compliance with an enforceable agreement with the Department pursuant to H&SC Section 25398.2(b)(1) (as it read on June 26, 2012) may file a claim with the Department for reimbursement of the portion of the response action allocated to an orphan share pursuant to H&SC Section 25398.8 (as it read on June 26, 2012). For purposes of this section, the Department will only accept one consolidated claim for a reimbursement of response costs allocated to an orphan share from responsible persons who have signed an enforceable agreement pursuant to H&SC Section 25398.2(b)(1) (as it read on June 26, 2012). Responsible persons filing such a claim shall comply with the following claims procedures for reimbursement by the Expedited Site Remediation Trust Fund: (1) The responsible person shall file a written claim with the Department. All claims must be filed with the Department by March 1 of each year to be considered for distribution of funds appropriated for that fiscal year. (2) All claims filed by the responsible person shall include copies of the following: the enforceable agreement entered into pursuant to H&SC Section 25398.2(b)(1) (as it read on June 26, 2012), the Department's apportionment of liability conducted

pursuant to H&SC Section 25398.8 (as it read on June 26, 2012), and an accounting of response costs defined in subdivision (t) of H&SC Section 25396 (as it read on June 26, 2012) and Section 67401.2, and any other information requested by the Department deemed appropriate in determining the legitimacy of the claim.

(1)

The responsible person shall file a written claim with the Department. All claims must be filed with the Department by March 1 of each year to be considered for distribution of funds appropriated for that fiscal year.

(2)

All claims filed by the responsible person shall include copies of the following: the enforceable agreement entered into pursuant to H&SC Section 25398.2(b)(1) (as it read on June 26, 2012), the Department's apportionment of liability conducted pursuant to H&SC Section 25398.8 (as it read on June 26, 2012), and an accounting of response costs defined in subdivision (t) of H&SC Section 25396 (as it read on June 26, 2012) and Section 67401.2, and any other information requested by the Department deemed appropriate in determining the legitimacy of the claim.