

**TITLE 165: CORPORATION COMMISSION
CHAPTER 10: OIL AND GAS CONSERVATION**

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SUBCHAPTER 10. BROWNFIELD PROGRAM

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165:10-10-1. Purpose, authority and applicability

(a) **Purpose.** The purpose of the Brownfield program is to provide for the safe reuse of Brownfield properties and provide a mechanism for landowners to resolve or manage their environmental liability to the government.

(b) **Authority.** The Brownfield Program implemented under Okla. Stat. Tit. 27A §§1-3-101(E)(1)(j), 1-3-101 (E)(2) and 1-3-101 (E)(5); Okla. Stat. Tit. 17 §§52(A)(1)(j), 52(A)(2) and 52(A)(5) and Okla. Stat. Tit. 52 §§139(B)(1)(j), 139(B)(2) and 139(B)(5), as authorized and funded by the federal Environmental Protection Agency (EPA).

(c) **Applicability.** Any person who qualifies under OAC 165:10-10-2 and 165:10-10-4 may participate in the Brownfield program and receive a Certificate of Completion or a Certificate of No Action Necessary upon successful completion of the Brownfield process.

[**SOURCE:** Added at 25 OK Reg 2187, eff. 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-2. Brownfield defined

(a) A "Brownfield" is a real property (site) where expansion, redevelopment, normal use or reuse may be complicated by the presence or potential presence of a deleterious substance, pollutant, or contaminant. This includes land that is contaminated by petroleum, petroleum products, and related wastes, including crude, condensate, gasoline and diesel fuel, produced water/brine, glycol and/or drilling mud. A proposed Brownfield site is a defined area; it does not need to be the entire property or lease.

(b) Sites excluded from program participation are:

- (1) Sites controlled by responsible parties (RPs);
- (2) Sites listed on the National Priorities List (NPL) maintained by EPA;
- (3) Sites subject to order or consent decree under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as

Superfund;

(4) Sites permitted under certain federal programs including the Resource Conservation and Recovery Act (RCRA), CERCLA, the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA);

(5) Lands where closure of the remediation process has been approved by or where a closure plan concerning remediation has already been submitted to the Commission;

(6) Sites owned or under the control of the federal government;

(7) Portions of sites with PCB (polychlorinated biphenyls) pollution subject to remediation under TSCA;

(8) Portions of facilities with an approved or ongoing federal Leaking Underground Storage Tank (LUST) Fund remediation; however the Oklahoma LUST fund and the Oklahoma Petroleum Storage Tank (PST) Indemnity fund are potentially available for assessing and cleaning up newly listed PST Brownfield sites in Oklahoma.

(c) Responsible party (RP) and other ineligible parties defined. A person, corporation, company, non-profit organization, or any other entity that:

(1) Caused the pollution at the proposed Brownfield site or knew about the pollution and allowed it to occur; or

(2) Contributed to already existing pollution at the site; or

(3) Hindered or otherwise knowingly attempted to obstruct efforts to perform environmental assessments of or to remediate pollution caused by an RP at the site; or

(4) Is not in compliance with a final agency order or any final order or judgment of a court of record secured by any state or federal agency for any of the responsible party's actions at the site which could have led to a leak, spill, and/or other cause of the pollution in violation of agency rules, or

(5) Has demonstrated a pattern of uncorrected noncompliance with state or federal environmental laws or rules; or

(6) Has past operations at the site and/or at other sites that indicate a reckless disregard for the protection of human health and safety or the environment.

[SOURCE: Added at 25 OK Reg 2187, eff. 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-3. Administration and enforcement of rules

(a) The Manager of Pollution Abatement and the Brownfield program staff shall supervise and coordinate the administration and enforcement of the rules of this Subchapter under the direction of the Director of Oil and Gas Conservation and the Commission.

(b) The primary goal of the implementation of Brownfield site assessments and remediation projects shall be the protection and/or restoration of the beneficial use of the land, the soil and any surface or subsurface waters of the State adversely impacted or impaired by pollution from a Commission regulated Brownfield site.

(c) Site assessments and remediation projects conducted under the supervision and coordination of the Manager of Pollution Abatement and/or Pollution Abatement/UIC/Brownfield staff shall adhere to the general practices appearing in the Oil and Gas Conservation Division's Guardian Guidance document for petroleum and produced water site assessment and remediation oversight, enforcement, approval and verification including the Guidelines and Numerical Criteria for New or Historic Produced Water/Brine Spills.

(d) Applicant may request in writing, and the Manager of Pollution Abatement may grant,

an administrative exception to a Commission Brownfield rule if applicant can demonstrate that:

- (1) Requirements in pertinent state laws and federal Brownfield rules and laws are still met, and
- (2) The exception will protect human health, safety and the environment and the beneficial use of the land at least as well as strict adherence to the Commission Brownfield rule.

[**SOURCE:** Added at 25 OK Reg 2187, eff. 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-4. Determination of Brownfield eligibility

(a) **Applicant eligibility.** An applicant may be any non-responsible party (non-RP) including:

- (1) The legal owner in fee simple, the tenant or lessee of the property, or a person who has a written firm option to purchase or operate the property at the time the application is filed and who has the ability to implement a redevelopment proposal, if needed, once site assessment and/or remediation is complete;
- (2) Any person who acquired the ownership, operation, management, or control of the site through foreclosure or under the terms of a bona fide security interest in a mortgage or lien on, or an extension of credit for the property, or foreclosed on the property, or received an assignment or deed instead of foreclosure or some other indicia of ownership and thereby becomes the owner of the property;
- (3) An agency, non-profit organization or other entity who chooses to clean up or otherwise rehabilitate a property for the owner or tenant in order for it to be returned to productive use or become green space;
- (4) The Oklahoma Energy Resources Board (OERB), regarding sites in its surface restoration program which meet the definition of a Brownfield property appearing in OAC 165:10-10-2. There is no requirement that OERB sites be designated as Brownfield sites, or
- (5) A non-RP who wishes to restore property for a potential or known RP. If an entity that is not the RP wants to apply to the Brownfield program and is accepted and completes the process, such a site would be granted limited liability protection.

(b) **Eligibility of site.** The following conditions must be met and information provided to be considered for eligibility as a Brownfield site:

- (1) Any facility or real property where normal use, reuse, expansion or redevelopment is hindered by pollution or suspected pollution of a substance or substances caused by releases from activities regulated by the Commission may qualify as a Brownfield site.
- (2) The applicant will need to provide an Applicant Eligibility form with the following information included on the form:
 - (A) A physical address for the land or property;
 - (B) A legal description of the land or property;
 - (C) Driving directions from nearest major intersection.
- (3) A site survey by a surveyor, or a site plan containing global positioning system (GPS) coordinates made under the supervision of a qualified environmental professional defining the area to be addressed must be submitted for each Brownfield site once it is accepted into the program.

(c) **Determination of eligibility.** The Commission's Brownfield staff will determine the

initial eligibility for any allegedly contaminated portion of a Brownfield project. Brownfield staff will determine to the extent possible:

- (1) If any funds have already been spent on the site, and the source of any such funds;
- (2) If there are any viable responsible parties. Commission records will be checked by Commission staff for all Brownfield sites; and
- (3) Whether the current or immediate past owner and/or operator of the site caused or made the pollution worse and whether such parties took reasonable corrective steps with regard to any pollution.

[**SOURCE:** Added at 25 OK Reg 2187, eff. 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001); Amended at 36 Ok Reg 534, eff. 8-1-19 (RM 201900002)]

165:10-10-5. The Commission's Brownfield program process

(a) **Pre-application informational exchange.** The applicant may want to consider a pre-application conference by telephone, e-mail, mail, or in person with Brownfield staff. During the pre-application conference the applicant will be advised about what information is necessary in order for Brownfield staff to determine whether the applicant and the applicant's site are eligible for the Brownfield program.

(b) **Brownfield eligibility determination.** All applicants and properties must meet federal and state Brownfield eligibility requirements. Commission standards and practices in effect at the time the application is filed will also be considered in determining whether eligibility requirements have been satisfied.

(c) **Brownfield program application.**

(1) Applicants for the Brownfield program, except for sites submitted by Commission field inspectors, will be required to submit an Application for Brownfield Program Eligibility form, an Application for Brownfield Site Eligibility and Assessment form and any required documentation to show they are eligible.

(2) The OERB Voluntary Environmental Program has sole discretion in determining whether it is to apply to the Commission's Brownfield program regarding abandoned exploration and production (E & P) sites which have been submitted to the OERB for consideration under its program which is limited to surface restoration. The site must meet the definition of a Brownfield property in OAC 165:10-10-2.

(3) When a non-RP wants to apply to remediate a property under the Brownfield program, the applicant must certify by affidavit that it owns the property or has a current lease or easement which is given to accomplish the remediation, or if it does not, has provided legal notice to the property owner of applicant's desire to remediate the site.

(4) Applicant must notify the Brownfield staff in writing of any litigation the Applicant has knowledge of concerning the site which has concluded or is pending, and any information concerning outstanding judgments, liens, tax levies, etc. filed of record at the time the application is filed or which is filed after applicant submits its application to the Commission and prior to final Commission action regarding the site.

(5) Completed applications must be sent to the following address: Oklahoma Corporation Commission, Oil and Gas Conservation Division, Brownfield Program, P.O. Box 52000, Oklahoma City, OK 73152-2000.

(d) **Notification of application status.** Subsequent to acceptance of an application, Brownfield staff will issue a letter to the applicant adding the site to the Brownfield site list (requirements for this list are in 165:10-10-7). If an application is denied by Brownfield

staff, staff will promptly provide applicant with a written statement of the reasons for such denial.

- (e) **Site assessments and/or remediation.** Refer to 165:10-10-9.
- (f) **Public participation.** Refer to 165:10-10-10 through 165:10-10-11.
- (g) **Brownfield site closure.** Refer to 165:10-10-12 and 165:10-10-14.
- (h) **Brownfield Certificates.** Refer to 165:10-10-13.

[**SOURCE:** Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-6. Eligibility of site [REVOKED]

[**SOURCE:** Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Revoked at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-7. The Commission's Brownfield site list

- (a) The Commission is required by federal statutes to maintain a current list of every site which has qualified as a Brownfield site, including those sites on which work has been completed. The list shall be made available to the public upon request.
- (b) Each site on the Brownfield sites list will include:
 - (1) Site name;
 - (2) Address or legal description of the site;
 - (3) Town, city, and county of the site.
- (c) Brownfield staff will be responsible for maintaining and updating the list of sites that have qualified for the Commission's Brownfield Program.
- (d) Brownfield staff will also be responsible for maintaining and updating a separate public record that shall include only those sites that are enrolled in and/or completed the Commission's Brownfield Program. This public record shall be made available to the public on the Commission's website. Each site on this public record will include:
 - (1) Site name;
 - (2) Address or legal description of the site;
 - (3) Town, city, and county of the site;
 - (4) Site level of progress;
 - (5) Allowable use of revitalized land.

[**SOURCE:** Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001); Amended at 36 Ok Reg 534, eff. 8-1-19 (RM 201900002)]

165:10-10-8. Processing of Brownfields application [REVOKED]

[**SOURCE:** Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Revoked at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-9. Assessment and remediation of site

- (a) **Qualifications.** All Brownfield assessment and remediation projects will be overseen by a qualified environmental professional, defined by EPA as someone who possesses sufficient specific education, training, and experience necessary to exercise professional

judgment to develop opinions and conclusions regarding conditions indicative of releases or threatened releases of deleterious substances on, at, in, or to a property, sufficient to meet the objectives and performance factors of the EPA's All Appropriate Inquiries rule (40 CFR Part 312) and ASTM E1527-05. Qualified environmental professionals must have one of the following:

- (1) A state or tribal issued certification or license (including Professional Engineer, Professional Geologist, and PST Division of the Corporation Commission licensed Remediation Consultant) and three years of relevant full-time work experience; or
- (2) A Baccalaureate or higher degree in science or engineering, including geologists as defined in 25 O.S. § 35 and engineers as defined in 59 O.S. § 475.1 et seq., and five years of relevant full-time work experience; or
- (3) Ten years of relevant full-time work experience.
- (4) Individuals who do not meet the above requirements must work under the supervision or responsible charge of an individual who meets the requirements for an environmental professional.

(b) **Assessments.**

- (1) The appropriate Commission staff may conduct initial site inspections to evaluate and recommend those sites that qualify for the Brownfield program; Brownfield staff will approve inspections and assessments and list each approved site in the database.
- (2) Qualified environmental professionals will perform an assessment (Phase I and/or Phase II) of each property.
- (3) Governmental entities, quasi-governmental entities, and non-profit organizations may be eligible for a Targeted Brownfield Assessment (TBA) conducted by either the Commission or EPA.
- (4) OERB's qualified staff or contractor may perform assessments on abandoned exploration and production (E&P) sites.
- (5) Assessments of former retail petroleum storage tank sites will be overseen by and coordinated with the Commission's PST Division staff.
- (6) EPA's All Appropriate Inquiry (AAI) Rule appearing in 40 CFR Part 312 shall be complied with as per the Commission's guidance.
- (7) If during an initial investigation or Phase I or Phase II assessment pollution is discovered and immediately removed from the site, as confirmed with sample analytical results, the site may qualify for No Further Action (NFA) status.

(c) **Phase I.** Basic site and assessment information is necessary for exploration, production, and/or pipeline sites known or suspected to be contaminated by substances defined in OAC 165:10-10-2(a), and for PST sites. Initial site assessment information includes, but is not limited to:

- (1) Analyses from one or more soil and water background samples;
- (2) A certified survey or the results of a GPS survey defining the area of pollution,
- (3) The present and proposed uses of the site;
- (4) The operational history of the site and current use of areas contiguous to the site; and
- (5) Detailed historical and records reviews as per AAI, which may be waived by Brownfield staff until after the basic physical environmental/pollution assessment is completed and Commission staff concludes its review of sample data pertaining to the site.
- (6) A Category Index Table must be submitted for all oil and gas and pipeline sites likely or definitely polluted above action levels. The Category Index Table appears in

the Commission's Guardian Guidance document, which is available on the Commission's website or by request.

(7) Sites that are determined by the Brownfield staff to need no remediation following an acceptable Phase I assessment can be issued no action necessary certification once the Brownfield staff receives appropriate documentation.

(d) **Phase II.** Phase II sites are those sites where the Phase I assessment demonstrates the need for additional assessment, action level determination, and (often) remediation guidance.

(1) Phase II oil and gas sites and pipeline (crude and refined product and produced water) sites will be overseen by the Oil and Gas Conservation Division's Brownfield staff;

(2) Phase II retail petroleum storage tank sites will be referred to the Commission's PST Division and will adhere to the Oklahoma Risk-Based Corrective Action guidelines for assessment and remediation;

(3) Necessary information generally includes but is not limited to concentrations of pollutants in the soils, surface water or groundwater at the site; the vertical and horizontal extent of pollution in the soils, surface water or groundwater at the site; a determination that risk based criteria to protect human health and the environment at and around the site are or are not being met; and recommendations on how to meet risk based criteria, including remediation as needed;

(4) Sites that are determined by the Brownfield staff to need no remediation following appropriate environmental and risk assessment can be issued no action necessary certificates once the Brownfield staff receives appropriate documentation.

(e) **Status of site when no action is necessary.**

(1) A no action necessary determination is appropriate for a site if at the conclusion of the initial inspection, TBA, Phase I or Phase II investigation, or subsequent to the immediate removal of pollution from a site, the Brownfield staff or other appropriate Commission staff finds or concurs that the site poses no significant risk to human health or safety or the environment according to the proposed use of the site.

(2) Brownfield staff will issue a no action necessary certificate when the site is restored for beneficial use and other required program elements, if any, are completed.

(f) **When pollution is likely present or is present above action levels.** If pollution is likely present or is present above action levels at a site, further assessment and remediation will adhere to one of the following regimens:

(1) The Oil and Gas Conservation Division's Guardian Guidance document and rules for petroleum and produced water site assessment and remediation oversight, enforcement, approval and verification; or

(2) The PST Division's guidance document and rules for site assessment and cleanup oversight, enforcement, approvals and verification; or

(3) For E&P sites where there is no RP, the OERB Voluntary Environmental Program may, in its sole discretion, submit to the Commission's Brownfield program those abandoned E & P sites which have qualified for the OERB's program, which is limited to surface restoration in order that such sites may be assessed and remediated by OERB in accordance with the Commission's Brownfield rules; and

(4) The Commission's Brownfield staff will act as the regulator for the Brownfield program and ensure that applicable Brownfield laws and rules are followed.

[**SOURCE:** Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001); Amended at 36 Ok Reg 534, eff. 8-1-19 (RM 201900002)]

165:10-10-10. Notice

(a) **Public notice.** Public notice is necessary for remediation sites (Phase II sites requiring remediation or cleanup). The applicant must provide public notice that its proposal regarding the site is ready for public review. The notice must be published one time in newspapers of general circulation published in Oklahoma County, Oklahoma, and in a newspaper of general circulation published in each county where the lands that are the subject of the application are located. The applicant shall also submit the notice to the Brownfield staff for posting on the Commission's website. The notice must contain the:

- (1) Name and address of the location where the application and related documentation, including any proposed remediation plan, may be reviewed, in addition to the days of the week and hours during which such information may be reviewed;
- (2) Applicant's name, mailing address, telephone number, email address and contact person, as well as the Commission's mailing address and a telephone number and email address of a contact person at the Commission;
- (3) Name, address and legal description of the Brownfield site;
- (4) Purpose of the notice;
- (5) Description of the proposed cleanup, monitored natural attenuation, institutional control, and/or other remedial action being sought;
- (6) Other pertinent information required by Brownfield staff and rules;
- (7) Other information the applicant may deem relevant; and
- (8) Time period of at least thirty (30) days after the notice is published for the submission of written public comments and written requests for a public meeting regarding the site, in addition to the mailing address and e-mail address to which public comments and requests for public meetings can be sent, the name of a contact person and any facsimile numbers, if available. The notice must also provide that any written public comments and requests for a public meeting are to be sent to the Oklahoma Corporation Commission, Oil and Gas Conservation Division, Brownfield Program, P.O. Box 52000, Oklahoma City, Oklahoma, 73152-2000.

(b) **Public meeting.**

- (1) If the Commission receives a timely written request for a public meeting, if the Commission determines there is a significant degree of public interest in the site remediation proposal and the action being sought, or if the applicant chooses to have a public meeting, then the applicant must publish notice of the date, time and address of a public meeting at least thirty (30) days prior to the meeting in the manner described in paragraph (a), above, and include in the notice the information appearing in paragraphs (a)(1) through (a) (8), above.
- (2) The notice must provide for a time period of at least thirty (30) days after the notice is published for the submission of written public comments, and that verbal comments may be made at the meeting. The mailing address and e-mail address to which public comments can be sent, the name of a contact person and any facsimile numbers, if available, must also be included in the notice. The notice must also provide that any written public comments are to be sent to the Oklahoma Corporation Commission, Oil and Gas Conservation Division, Brownfield Program, P.O. Box 52000, Oklahoma City, Oklahoma, 73152-2000.

(3) The public meeting will be held in a convenient location near the proposed Brownfield site.

(c) **Publisher's affidavits.** The applicant is required to provide to the Brownfield staff the publisher's affidavits regarding the public notice for comments and/or a public meeting within twenty (20) days after the date(s) of publication;

(d) **When public notice is not required.** Applicant is not required to publish a notice regarding those sites Brownfield staff or other appropriate Commission staff find or concurs need no further action after staff's review of applicant's site assessment information or which are remediated for the applicant by a responsible party.

[**SOURCE:** Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-11. Public meetings and public comments

(a) The format for each public meeting will be established by the Commission's Brownfield staff or its Public Information Staff, and the Commission's Brownfield staff or its Public Information Staff will moderate each public meeting;

(b) The moderator may set reasonable time limits for speakers, and the moderator may extend the time for public comment at the conclusion of the public meeting;

(c) Anyone may provide public comments or submit a written statement and data regarding the remediation proposal at any public meeting;

(d) The applicant or its representative must be available at each public meeting in order to answer questions;

(e) If the Commission receives no request for a public meeting, and the Commission deems no public meeting necessary, and no public comments are received, then the Commission will proceed with the applicable determination; and

(f) If the Commission receives public comments, the appropriate Brownfield staff will prepare a written response to such comments within sixty (60) days after the close of the comment period.

[**SOURCE:** Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-12. Closures of Brownfield sites

(a) **Final surface remediation confirmation.**

(1) A qualified environmental professional for the applicant and/or the-Brownfield, other Oil & Gas, or PST staff of the Commission, or the OERB, if such entity is involved with the site, will perform a closure survey, which may include but is not limited to visual observations and sampling the soil, surface water and/or groundwater at the site to confirm the project is completed and the property is ready for its proposed use; and

(2) The results of the closure survey, including any soil, surface water and/or groundwater sample results, must be submitted to appropriate Commission and Brownfield staff, and the appropriate regulatory program will confirm if cleanup standards have been met.

(b) **Final documentation.**

(1) The applicant is required to submit all necessary documentation regarding the site to Brownfield staff.

(2) The Brownfield staff will review, as required by applicable laws and rules, the work

performed on the site as reflected in the documentation filed by Applicant.

(3) The applicant shall submit to Brownfield staff recorded copies of documents confirming that any deed restrictions or other institutional controls have been filed with the appropriate authorities.

(c) **Request for closure.** The applicant shall request closure of the site after all reviews have been completed by applicable Commission staff members and the site is found by Commission staff to be in compliance with all the Brownfield and regulatory laws and rules.

(d) **Records of sites.** The Brownfield staff will maintain a public record of each site that has qualified for the Brownfield program for a period of three (3) years. After the three (3) year period has expired the records will be archived.

[SOURCE: Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-13. Commission Brownfield certificates issued

(a) A "No Action Necessary" Certificate shall be issued to applicant by the Commission when the Commission has made such determination.

(b) A "Certificate of Completion" will be issued by the Commission for remediated sites after the closure survey of the site and review of the project has been approved by the Commission.

(c) The Certificates will state whether or not any continuing care of structural institutional controls, or any long term monitoring of the site, is to occur after issuance of any Certificate.

(d) All Brownfield Certificates issued by the Commission must be filed by the applicant in the office of the county clerk in the county where the Brownfield site is located. The Applicant is required to provide a copy of the Certificate reflecting that it has been recorded with the county clerk's office both to the landowner of the subject site and to the Brownfield staff within thirty (30) days after the Certificate has been filed.

(e) Applicant's submission of any false or materially misleading information to the Commission in conjunction with its application shall render voidable any of the Certificates discussed above.

[SOURCE: Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]

165:10-10-14. Responsible party closures (for remedial actions)

An RP that is legally responsible for the remediation of the pollution at a site is not eligible for the Commission's Brownfield Program, but can request that a standard case closed letter be issued by the appropriate Commission Department reflecting that the necessary work at the site has been completed and that the case has been closed by such Department.

[SOURCE: Added at 25 OK Reg 2187, eff 7-11-08 (RM 200800003); Amended at 33 OK Reg 593, eff. 8-25-16 (RM 201600001)]