

ENERGY AND ENVIRONMENT CABINET
KENTUCKY DIVISION OF WASTE MANAGEMENT
SUPERFUND BRANCH
200 Fair Oaks, 2nd Floor
FRANKFORT, KENTUCKY 40601-1190
(502) 564-6716



**APPLICATION FOR
VOLUNTARY ENVIRONMENTAL
REMEDiation TAX INCENTIVE**



Division Of Waste Management

DEP 5037

2010

The Energy and Environment Cabinet does not discriminate on the basis of race, color, national origin, sex, age, religion, or disability and provides, on request, reasonable accommodations including auxiliary aids and services necessary to afford an individual with a disability an equal opportunity to participate in all services, programs, and activities.

Carefully read each of the following application requirements. These questions must be answered in order to determine your eligibility for the Voluntary Environmental Remediation Tax Incentive (VERTI). Type or print your responses legibly in indelible ink.

Eligibility Requirements:

Please check the applicable box for each item below.

- ☐Yes ☐No Was a No Further Action Letter or equivalent letter issued for the property?
(NA if you are applying for the tax credit under KRS 141.418.)
- ☐Yes ☐No Did all releases of hazardous substances, pollutants, contaminants, petroleum or petroleum products at the property occur prior to the property owner's acquisition of the property?
- ☐Yes ☐No Did the property owner make all appropriate inquiry into previous ownership and uses of the property in accordance with generally accepted practices prior to the acquisition of the property?
- ☐Yes ☐No Did the property owner or responsible party provide all legally required notices with respect to hazardous substances, pollutants, contaminants, petroleum or petroleum products found at the property?
- ☐Yes ☐No Was the property owner in compliance with all land use restrictions which does not impede the effectiveness or integrity of any institutional control?
- ☐Yes ☐No Has the property owner complied with any information request or administrative subpoena under KRS Chapter 224?
- ☐Yes ☐No Was the property owner affiliated with any person who is potentially liable for the release of hazardous substances, pollutants, contaminants, petroleum or petroleum products on the property pursuant to KRS 224.01-400, 224.01-405, or 224.60-135, through:
1. Direct or indirect familial relationship;
 2. any contractual, corporate, or financial relationship, excluding relationships created by instruments convey or financing title or by contracts for sale of goods or services; or reorganization of a business entity that was potentially liable.
- ☐Yes ☐No Did the property owner receive financing or reimbursement of funds thru a public grant or the Petroleum Storage Tank Environmental Assurance Fund for any part of the cleanup?

Check each box provided to ensure the requirements are met as you complete them.

Application Requirements:

- ☐ All items in the application must be answered. Failure to answer any item will result in the return of this application for completion. If an item is not applicable to your facility, write "N/A".
- ☐ All attachments must be numbered and submitted with this application to prevent delays in processing.
- ☐ A copy of the No Further Action Letter or equivalent letter issued by the cabinet.
- ☐ Copies of invoices, receipts and other records documenting the cleanup costs incurred

The statutes and regulations that apply to the VERTI include, but are not limited to: KRS 132.010-132.020, KRS 132.200, KRS 141.418, KRS 224.01-400, KRS 224.01-405, KRS 224.01-510 to 224.01-532, KRS 224.60-135, and 401 KAR 100:030. Copies of statutes and regulations can be ordered by calling the Program Planning and Administration Branch at (502) 564-6716. Statutes and regulations are also available at the following website address: www.lrc.state.ky.us/home.htm.

Submit the original and two copies of the completed application and all attachments to:

**VOLUNTARY ENVIRONMENTAL REMEDIATION
TAX INCENTIVE PROGRAM
Kentucky Division of Waste Management
Superfund Branch
200 Fair Oaks, 2nd Floor
Frankfort, KY 40601**

All signatures on the original application must be original.

**APPLICATION TO ENTER
VOLUNTARY ENVIRONMENTAL REMEDIATION
TAX INCENTIVE PROGRAM**

Section 1. Property/Facility Name, Agency Interest Number and Location

1. This application is a: ☐ New Submittal ☐ Re-submittal
2. Property/Facility Name _____
3. Agency Interest Number _____
4. Property/Facility Location _____
(Street or physical location only – no P. O. Box numbers)
5. City _____ Zip _____ County _____
6. Requested amount of tax credit or tax rate _____

Section 2. Contact Information

Applicant:

7. Applicant Name (print) _____
(Property owner applying to enter a property into the program.)
8. Contact Person (print) _____
9. Mailing Address _____
10. City _____ 11. State _____ 12. Zip _____
13. Phone Number (_____) _____ - _____ 14. Fax Number (_____) _____ - _____
15. E-Mail Address _____
16. Date obtaining legal ownership of the property _____
17. Date All Appropriate Inquiries was conducted on the property _____

Legal Representative (if applicable):

18. Legal Firm (print) _____
19. Contact Person (print) _____
20. Mailing Address _____
21. City _____ State _____ Zip _____
22. Phone Number (_____) _____ - _____ 32. Fax Number (_____) _____ - _____
23. E-Mail Address _____

Section 3. Certification Statement

“I certify under penalty of law that the information contained in this document and all attachments is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information.”

(Insert disclosure of not having any familiarity or corporation history with the responsible party of the property)

Property Owner (if different from applicant) (print) _____

Signature _____

Subscribed and sworn to before me this _____ day of _____ Year _____

Notary Public Signature _____

State of _____ County of _____ my commission expires _____