

**Rulemaking Hearing Rules
of
The Department of Environment and Conservation
Division of Remediation**

**Chapter 1200-1-13
Inactive Hazardous Substance Site Remedial Action Program**

Amendments

Rule 1200-1-13-.03(2)(b) Remedial Action Fund is amended so that, as amended, Rule 1200-1-13-.03(2)(b) shall read:

- (b) Liable parties, shall be responsible for their apportioned share of costs incurred by the State of Tennessee as a result of a response. Where costs are incurred by the State on any site, a liable party is subject to an action by the State for the recovery of direct, indirect and actual administrative/overhead expenses. Indirect and overhead charges shall be calculated and assessed on outstanding balances at the time of issuance for each billing. Monies received as payment on the part of a liable party shall be credited towards said party's share of the costs.

Authority: T.C.A. §§68-212-207, and §§4-5-201 et. seq.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 18th day of July, 2006, and will become effective on the 1st day of October, 2006.