

**RCW 70A.545.060 Remedial actions on unregistered storage tanks—
Required conditions. (Expires July 1, 2030.)** (1) The agency may conduct remedial actions to investigate or clean up a release from a petroleum underground storage tank, even if the petroleum underground storage tank is not registered under the state financial assurance program, if the following conditions are met:

(a) The release occurs in an area of risk for drinking water impacts or where addressing the release is necessary to equitably protect human health and the environment in communities that have been marginalized, overburdened, and underserved;

(b) The owner or operator, or owner of the property where the petroleum underground storage tank is located, provides consent for the agency to:

(i) Conduct the remedial actions;

(ii) Enter upon the real property to conduct the remedial actions; and

(iii) Recover the costs of the remedial actions from the owner or operator or potentially liable persons; and

(c) The owner of the petroleum underground storage tank facility consents to the agency filing a lien on the facility under RCW 70A.545.070 to recover the agency's remedial action costs.

(2) The agency may seek recovery of any remedial action costs incurred by the agency under this section from any liable person. The agency may file a lien on the petroleum underground storage tank facility under RCW 70A.545.070 to recover the agency's remedial action costs. The attorney general, at the request of the agency, may commence a civil action against any liable person to recover the agency's remedial action costs. [2023 c 170 § 7.]