WEST VIRGINIA CODE: §22-22-10

§22-22-10. Inspections; right of entry; sampling; reports and analyses.

(a) The Secretary, upon presentation of proper credentials, may enter any building, property, premises, place, or facility where brownfield or voluntary remediation activities are being or have been performed for the purpose of making an inspection to ascertain the compliance by any person with the provisions of this article or the rules promulgated by the Secretary.

(b) The Secretary shall make periodic inspections at sites subject to this article. After an inspection is made, a report shall be filed with the Secretary and a copy shall be provided to the person who is responsible pursuant to the voluntary agreement for remediation activities. The reports shall not disclose any confidential information protected under the provisions of §22-22-4(d) of this code. The inspection reports shall be available to the public in accordance with the provisions of §29B-1-1, *et seq*. of this code.

(c) The Secretary may, upon presentation of proper credentials, enter any building, motor vehicle, property, premises, or site where brownfield or voluntary remediation activities are being or have been performed and take samples of wastes, soils, air, surface water, and groundwater. In taking such samples, the Secretary may utilize sampling methods necessary in exercising good scientific technique. Following the taking of any sample, the Secretary shall give the person responsible in the voluntary agreement for remediation activities a receipt describing the sample obtained and, if requested, a portion of each sample equal in volume or weight to the portion retained. The Secretary shall promptly provide a copy of any analysis made to the responsible person named in the voluntary agreement.

(d) Upon presentation of proper credentials, the Secretary shall be given access to all records relating to a voluntary remediation.

WV Legislature