WEST VIRGINIA CODE: §22-22-9

§22-22-9. Termination of agreement; cost of recovery; legal actions.

The person undertaking remediation may, in his or her sole discretion, terminate the agreement as provided by the terms of the agreement and by giving 15 days advance written notice of termination. Only those costs incurred or obligated by the Secretary before notice of termination of the agreement are recoverable, if the agreement is terminated. The termination of the agreement does not affect any right the Secretary may have under any other law to recover costs. The person undertaking the remediation must pay the Department's costs associated with the voluntary remediation within 31 days after receiving notice that the costs are due and owing. The Secretary may bring an action in Kanawha County circuit court or in the circuit court in the county wherein the property is situated to recover the amount owed to the Department and reasonable legal expenses.

WV Legislature