UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION [ ]

[**Street Address**]

[**City, State, Zip Code**]

IN THE MATTER OF: ) [No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

)

[**Site Name**] )

[**Site Address**] ) SUBPOENA DUCES TECUM AND

[**City,State**] ) SUBPOENA AD TESTIFICANDUM

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

TO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, RESPONDENT(S):

Pursuant to the authority of Section 122(e)(3)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (CERCLA), the United States Environmental Protection Agency (U.S. EPA) is issuing this subpoena for the purpose of determining liability and otherwise implementing Section 122 of CERCLA by collecting information relating to [**insert description of the information sought and the site name**].

YOU ARE HEREBY COMMANDED TO APPEAR IN PERSON at the following place and time.

TIME AND DATE: [**insert time and date here]**

PLACE: [**insert place here]**

At the above time and place, the U.S. EPA will take the statement of [**name of respondent**], regarding hazardous substances at the [**name of site**], upon oral examination before a court reporter or other officer authorized by law to take sworn statements.

YOU ARE COMMANDED FURTHER TO TESTIFY THEN ANDTHERE UNDER OATH, GIVE ORAL AND TRUTHFUL RESPONSESto all lawful inquiries and questions put to you on behalf of the U.S. EPA, and TO REMAIN IN ATTENDANCE until expressly excused by the attorney(s) conducting the proceeding for the U.S. EPA**.**

YOU ARE COMMANDED FURTHERTO BRING WITH YOU, at the time and place stated above, andthen and there produce for inspection and/or copying, all documents and/or records in your possession which relate to the [**insert name and location of site**] including, but not limited to thoseitems identified and described [**insert** “below:” **or** “on the attached page(s).”].

You are entitled to claim confidentiality over the information provided to U.S. EPA, in accordance with 40 C.F.R. Part 2.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY SUBJECT YOU TO A CIVIL ENFORCEMENT ACTION.

Issued at **[City, State]** this **[insert date]** day of **[insert month]**, **[insert year]**.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**[Name of RA or Delegatee]**

**[Title]**

U.S. EPA Region[ ]

Any questions concerning this subpoena should be directed to [**insert name of assistant regional counsel, address, phone number and/or email address**[.

AFFIDAVIT OF SERVICE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

I hereby certify that being a person over 18 years of age, I served a copy of the attached subpoena:

(check one) ( ) in person

( ) by registered mail

( ) by leaving the copy at the principal place of business, which is,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

( ) by other method:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

on the person named on the subpoena on **[insert date here]**.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 Signature of server

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 Name of server

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 Title of server