**U.S. EPA, REGION 3**

**ENFORCEMENT ADDENDUM TO**

**[Request for a Funding Authorization for Removal Action, Request for Increased Funding, Modification of Scope, and Exemption from the $ 2 Million Statutory Limit for Removal Action] at the [Site], [Town], [County], [State]**

The EPA Region III, Cost Recovery Branch (CRB) has reviewed the referenced **[Request for Funding Authorization for a Removal Action, Request for Increased Funding, Modification of Scope, and Exemption from the $ 2 Million Statutory Limit for Removal Action, etc.]** for the **[Site]** in **[Town]**, **[County]**, **[State]**, and has developed the following information relative to the potential for enforcement action:

**A. PRP Identification**

Insert a very brief description of the Site including location, acreage, and a short explanation of the problems at Site.

**1. Current Owners and Operators of the Site**

Identify the Current Owners/Operators at the Site and document ownership/operation of the Site, including relevant deeds, assessment info, etc. Include corporate, operational, and financial information (if available) for each party. If additional investigation/104(e) letters are planned, please specify for each party.

**[a. Party 1]**

**[b. Party 2]**

**2. Former Owners and Operators/Owners and Operators at the Time of Disposal**

Identify the Former Owners/Operators at the Site and Owners/Operators at the time disposal of hazardous substances occurred and document ownership/operation for each, including relevant deeds, assessment info, etc. Include corporate, operational, and financial information (if available) and indicate whether party is considered a PRP. If additional research/104(e) letters are planned, please specify for each party.

**[a. Party 1]**

**[b. Party 2]**

**3. Arrangers for Disposal**

Identify parties who may have arranged for disposal of hazardous substances at the Site, document arrangement, and indicate whether each party is considered a PRP. If additional research/104(e) letters are planned, please specify for each party. If no arrangers have been

identified, include the statement: “No arrangers have been identified at this time.”

**[a. Party 1]**

**[b. Party 2]**

**4. Transporters for Disposal**

Identify parties who may have transported hazardous substances to the Site, document each party’s selection of the Site, and indicate whether each party is considered a PRP. If additional research/104(e) letters are planned, please specify for each party. If no transporters have been identified, include the statement: “No transporters have been identified at this time.”

**[a. Party 1]**

**[b. Party 2]**

**B.** **Notification of PRPs of Potential Liability and of the Required Removal Action**

Discuss whether both verbal notice and General Notice Letters have been or will be issued, when, to whom, and any response received including each PRP’s willingness to perform the work required at the Site. If appropriate, include the statement, “Additional Notice letters will be issued as evidence warrants.”

**C.** **Decision Whether to Issue an Order/Negotiation Strategy**

Discuss whether PRPs have the technical expertise and financial resources to conduct the Removal Action required in the Action Memo, whether the PRPs are willing to do the work, and the strength of the evidence linking the PRPs to the Site. Your analysis should consider whether an AOC is likely to be negotiated in a time frame that supports the necessary Removal Action or whether a UAO is appropriate and can be issued expeditiously.

**For sites at which the OSC is requesting funding in excess of $2 million, include this section:**

**[D.] Lien Determination**

**Discuss whether a lien is appropriate at the Site. Factors to consider include: the liability of the current owner PRP, the Fair Market Value of the Site property (both now and if clean), other liens/mortgages against the Site property. Use the information contained on the complete Lien Worksheet to prepare this section.]**

**D[/E]**. **Recommendation**

Provide recommendation to allow time for negotiation/issuance of order or to approve the request for funding and pursue Cost Recovery at a later date

Prepared By: [Name], [Title]

Cost Recovery Branch

[Date]