**Model** **No Previous Federal Superfund Interest Comfort/Status Letter**

**[Insert Addressee]**

Re: **[Insert name or description of property (e.g., address, legal description, parcel description, site name)]**

Dear **[Insert name of the interested party]**:

Thank you for contacting the U.S. Environmental Protection Agency (EPA or the Agency) on [**insert date**] about your plans concerning the property referenced above (the “Property”). In your inquiry, you described your intentions to [**insert general description of the “Development” (e.g., lease or buy the Property for commercial, residential, or recreational development)**] and requested that we provide you with a Superfund comfort/status letter.

[**OPTIONAL: Insert specific information based on Regional practices. For example, include a summary of a telephone conversation with the interested party requesting a comfort letter.**]

Under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, commonly referred to as Superfund),[[1]](#footnote-1) the Agency’s mission is to protect human health and the environment from the actual or potential risks posed by exposure to contaminated or potentially contaminated land and other media. A Superfund cleanup can help return lands to productive reuse. We are providing this letter consistent with the Agency’s 2019 Comfort/Status letter policy.[[2]](#footnote-2) The purpose of this comfort/status letter includes providing you with information that may be relevant to the potential CERCLA liability concerns you have identified at the impacted Property and summarizing the relevant information available to the EPA about the Site as of the date of this letter. We hope this information will enable you to make informed decisions regarding the Property’s cleanup status and CERCLA’s liability protections as you move forward with making a decision about the Property.

## Property Status

Information on sites that are potentially hazardous and may warrant action under Superfund, including site-specific documents and fact sheets, is recorded in EPA’s Superfund Enterprise Management System (SEMS), which may be accessed at <https://cumulis.epa.gov/supercpad/cursites/srchsites.cfm>. SEMS includes a public access database that contains information about sites where there has been some Agency involvement under Superfund. The EPA Region did not identify the described Property in a search of the active and archived records in SEMS.

Please note that the Property’s absence from SEMS does not represent a finding that there are no environmental conditions at the Property that require action or that are being addressed under another federal or state program. The absence of the Property from SEMS means that, at this time, the EPA Region is not aware of any information indicating that there has been a release or threat of release of hazardous substances at or from the facility that needs to be assessed by the federal Superfund program and that no such assessment has been performed by the EPA regional staff in the past.

Based on the information the EPA Region has to date regarding the Property, the regional staff are not currently planning federal CERCLA response or enforcement actions at the Property.

**[INSERT IF APPLICABLE FOR PROPERTY THAT RECEIVED EPA BROWNFIELDS GRANT FUNDING]**

[According to the EPA Region’s records found in the Brownfields’ Assessment, Cleanup, and Redevelopment Exchange System (ACRES) database[[3]](#footnote-3), the Property was the subject of a grant awarded through EPA’s Brownfields Assessment, Cleanup, and Revolving Loan Fund grant program. The award of this type of grant does not mean that the Agency has a federal interest in the property. Further, any liability determination made by the EPA Region in connection with eligibility requirements for the grant would not have applicability for any purpose beyond eligibility for federal EPA brownfields grant funding.]

**[OPTIONAL: If the EPA Region is aware of the state being involved in the cleanup, consider issuing a “State Action Comfort/Status Letter,”[[4]](#footnote-4) or insert contact information for state remedial project manager (RPM) and number, or the state’s applicable department name and number].**

**Conclusion**

The EPA Region remains dedicated to facilitating the cleanup and reuse of contaminated properties and hopes the information contained in this letter is useful to you. Please note that the letter does not offer conclusive statements about site conditions or liability. You may find it helpful to consult your own environmental professional, legal counsel, and your state, tribal, or local environmental protection agency before taking any action to acquire, clean up, or redevelop the impacted property. These consultations may help you obtain a greater level of comfort about the compatibility of the proposed use and ensure compliance with any applicable federal, state, local, and/or tribal laws or requirements. If you have any additional questions or wish to discuss this information further, please feel free to contact [**insert EPA contact information**].

Sincerely,

**[Insert regional contact name]**

**[Insert regional contact title]**

**[Enclosures (#)]**

cc: **[Insert EPA OSRE or FFEO comfort/status letter contact]**

 **[Insert EPA OLEM contact]**

 **[Insert state contact(s), if applicable]**

1. 42 U.S.C. §§ 9601, *et seq.* [↑](#footnote-ref-1)
2. See [*2019 Policy on the Issuance of Superfund Comfort/Status Letters*](https://www.epa.gov/enforcement/common-elements-guidance). [↑](#footnote-ref-2)
3. See the EPA’s Brownfields’ ACRES webpage at <https://www.epa.gov/brownfields/brownfields-grantee-reporting-using-assessment-cleanup-and-redevelopment-exchange-system>. [↑](#footnote-ref-3)
4. Found at <https://cfpub.epa.gov/compliance/models/view.cfm?model_ID=733>. [↑](#footnote-ref-4)