

CHECKLIST OF PRP SEARCH TASKS

[This document is not an official EPA form and its use is not mandatory. It is intended as a sample that outlines types of information that PRP search personnel may find useful for determining whether a PRP qualifies for an ATP settlement. To the extent this form and/or its contents are used, you may wish to delete from, add to, or otherwise modify them, depending on PRP- or site-specific information needs.]

[This checklist is intended as a tool, listing tasks which **may** be assigned or performed during PRP searches, depending on site enforcement strategy and needs. The list which follows does not imply that all tasks must or should be performed, and the sequences in which tasks are performed should be governed by site strategy rather than the order listed below.]

Region: _____

Site Name: _____

Location: _____

| TASK | TASK SELECTION CRITERIA/CONDITIONS |
|------|------------------------------------|
|------|------------------------------------|

1. RECORD COLLECTION AND FILE REVIEW

Gather and organize the information, review records to extract PRP information and leads

| Files are: | File Location | # of Pages |
|----------------------------------|---------------|------------|
| <input type="checkbox"/> Federal | | |
| <input type="checkbox"/> State | | |
| <input type="checkbox"/> Local | | |
| <input type="checkbox"/> Other * | | |

* Counties, libraries, museums, etc.

Use this space to describe anything unique about the records and their condition including business confidential, contamination, travel involved, access, other sources besides hard copy, etc.

2. TITLE SEARCHES

Note:

A. Simple Title Search

Site involves less than five parcels and the site does not have a long history of industrial use.

B. Complex Title Search

Site involves more than five parcels and/or has a long history of industrial use.

C. Unknown Title Search

A site property description will need to be developed by EPA, or EPA's enforcement contractor along with an estimate of the title search cost.

| TASK | TASK SELECTION CRITERIA/CONDITIONS |
|---|--|
| D. <input type="checkbox"/> Title Search for Recorded Instruments | Includes deeds, leases, mortgage, liens, plate maps, contracts. Necessary to support site history and PRP list. If litigation is expected, certified copies (see next task) are usually required for admissibility. |
| E. <input type="checkbox"/> Uncertified Copies | Obtain uncertified copies unless litigation is anticipated (certified are costlier). If the site ends up in litigation and title is an issue, obtain certified copies. |
| F. <input type="checkbox"/> Certified Copies | Includes deeds, leases, mortgages, liens, death records, wills, lawsuits and contracts. Obtain certified copies if litigation is expected and the case attorney requires certified copies for court admissibility. |
| G. <input type="checkbox"/> Chain of Title | A chronological list of title instruments for quick reference to title transactions over time. |
| H. <input type="checkbox"/> Property History Narrative | Requested for more complex sites when a detailed narrative description of property history would assist case development. |
| 3. <input type="checkbox"/> INTERVIEWS WITH GOVERNMENT OFFICIALS | Interviews required of persons known or suspected to possess unique information about the site. Interviews generally conducted by phone unless travel is specifically requested. This task is used in most PRP searches. |
| 4. <input type="checkbox"/> RECORDS COMPILATION | Records are located and manually organized to permit easy access and use. A file system and index are usually established. Depending on the number of records, records may be computerized. |
| 5. <input type="checkbox"/> COMPLIANCE HISTORY | This task provides a narrative description of site compliance status for a specified period of interest focusing on activities and parties involved with hazardous wastes. |
| 6. <input type="checkbox"/> PRP STATUS/PRP HISTORY | PRPs for which a current address is not available are researched to determine their fate. Names, addresses, and registered agents are provided for the PRPs and any successor companies. |
| 7. <input type="checkbox"/> PRP NAME AND ADDRESS UPDATE | Current name and address information is obtained for identified PRPs. Includes name, address, registered agent, mergers, and name changes. |
| 8. <input type="checkbox"/> CERCLA 104(e) LETTERS | EPA identifies PRPs and collects evidence by sending section 104(e) information request letters. The information gathered from 104(e) letters is critical to site history, status, chemical use, disposal, volume, and other information to determine liability. |
| 9. <input type="checkbox"/> FINANCIAL STATUS | Solicit financial information through CERCLA 104(e) authority regarding the financial condition of the PRPs. This task can provide PRP information such as financial status, officers, and current business operations. |

TASK**TASK SELECTION CRITERIA/CONDITIONS****Develop financial information for** (Identify public vs. private companies, etc.)

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|--|--|
| A. <input type="checkbox"/> Individual PRPs | Attach list of names and addresses |
| B. <input type="checkbox"/> Partnership | Attach list of names and addresses |
| C. <input type="checkbox"/> Corporation | Attach list of names and addresses |
| D. <input type="checkbox"/> Exempt Organizations | Attach list of names and addresses |
| E. <input type="checkbox"/> Other | Attach list of names and addresses |
| F. <input type="checkbox"/> CERCLA 104(e)/RCRA 3007(c) Letters | This task includes formulating potential questions for PRPs based on gaps observed in available information, preparing letters with PRP names and addresses, and reviewing responses for information relevant to PRPs. |
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| 10. <input type="checkbox"/> HISTORY OF SITE OPERATIONS | <i>Note: This task may be more appropriately performed after issuance of information request 104(e) letters and the review of PRP files.</i> A narrative description of site operations through a specified period of interest is presented in a report. This history focuses on activities and parties involved with hazardous wastes. Particularly useful if many operators or various types of operations were involved at the site. |
| 11. <input type="checkbox"/> REPORT PREPARATION | PRP reports should include sections on the site background, project approach, contracts and sources, site history, PRPs, and conclusions/recommendations. |
| 12. <input type="checkbox"/> HISTORICAL AND CURRENT AERIAL PHOTOGRAPHS AND SANBORN MAPS | Aerial photographs and Sanborn maps can provide detailed site information without accessing the site. They can also be used to compare site characteristics over a period of time. |
| 13. <input type="checkbox"/> CERCLA SUBPEONA AUTHORITY | Authority to serve administrative subpoenas to obtain evidence from PRPs and others. The subpoena is useful in situations when the PRP may not respond to the information request under 104(e) e.g., obtaining financial and account records from financial institutions. |
| 14. <input type="checkbox"/> FIELD SURVEY | This task is used to gather additional evidence through field activities such as general field inspection, document review, personal interviews, and drum label recording. Usually conducted only when there is no other information available about a site. |

| TASK | TASK SELECTION CRITERIA/CONDITIONS |
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| 15. <input type="checkbox"/> INDUSTRIAL SURVEY | This task identifies PRPs through a survey of local businesses and a review of various industrial manuals and directories. This is an indirect method of identifying PRPs and may be difficult to provide if no other information is available. May serve as a starting point of more detailed research into disposal practices of local industries. |
| 16. <input type="checkbox"/> PRP FILE REVIEW | PRP documents, such as operator records, are reviewed to extract PRP information and leads. This task should be completed after a review of agency files. |
| <p>Use this space to describe anything unique about the records and their condition including business confidential, contamination, travel involved, access, other sources besides hard copy, etc.</p> <hr/> | |
| 17. <input type="checkbox"/> PRIVATE CITIZEN/PRP INTERVIEW | Interviews with persons known or suspected to possess unique information about the site. Interviews can be conducted via telephone, or in person at the discretion of the investigator and/or enforcement specialist. Detailed interviews, when needed, can be documented by a transcript. |
| 18. <input type="checkbox"/> EPA INVESTIGATIONS | Investigations can be useful in locating individuals, developing information regarding closely held financial assets, and interviewing parties with knowledge of the site activities. If a potential for danger exists, contact appropriate law enforcement personnel, such as EPA CID special agents, building security, or local police. |
| 19. <input type="checkbox"/> SEMS | SEMS is an EPA database which generally contains PRP information such as: name, addresses, types of letters sent (notice, demand and information request) and the dates sent, orders issued, and kind of PRP (owner, operator, arranger, or transporter). [See SEMS Guide, Appendix F.] |
| 20. <input type="checkbox"/> WASTE STREAM INVENTORY | Compile an accurate inventory of wastes that were disposed of at the site by reviewing operating logbooks, analytical reports, and waste stream records. |
| 21. <input type="checkbox"/> PROCESS CHEMISTRY ANALYSIS | The process chemistry analysis task is generally performed after an industrial survey and a waste stream inventory. This task attempts to link industries with wastes at a site. |

TASK

TASK SELECTION CRITERIA/CONDITIONS

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|---|--|
| <p>22. <input type="checkbox"/> DATABASE(S)</p> <p style="margin-left: 20px;">A. <input type="checkbox"/> Correspondence</p> <p style="margin-left: 20px;">B. <input type="checkbox"/> Inventory</p> <p style="margin-left: 20px;">C. <input type="checkbox"/> Transactional</p> | <p>A database is created to keep track of PRPs sent letters (Notice or Information), whether they responded, and other information as specified by EPA. Computerized databases should be considered for cases with a large number of PRPs.</p> <p>Information management system developed to organize and permit quick retrieval of documents by key word, author, date, subject, or other predetermined strategy. Useful for searches with a large number of documents or if documents must be easily accessed.</p> <p>Site transaction databases are used to rank PRPs based on quantified site usage information. (See also Arranger Ranking)</p> |
| <p>23. <input type="checkbox"/> FINANCIAL ASSESSMENT</p> | <p>This task provides a more detailed analysis of a PRP's financial situation than the financial status task.</p> |
| <p>24. <input type="checkbox"/> ARRANGER RANKING</p> | <p>This is usually a work product (printout) from a transactional database project (see #22 above). The ranking orders arrangers by waste volume or other comparable unit.</p> |
| <p>25. <input type="checkbox"/> PROPERTY APPRAISAL/ PROPERTY SURVEY</p> | <p>Appraisal of site property owned by a PRP which may have value. Appraisal may focus on contaminated state or post-remedial state.</p> |

Please identify person completing this checklist:

Name: _____
 Region/Other: _____
 Mailing Address: _____

Title: _____
 Phone #: _____