

## **CHECKLIST FOR REMOVAL/PRE-REMEDIAL SITES**

[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.]

Completion of this form is not mandatory, nor is it directed solely towards a specific type of responder. The first on-site responder may begin the checklist which may include contributions from any of the following: EPA site assessment manager (SAM), on-scene coordinator (OSC), civil investigator (CI), remedial project manager (RPM), EPA contractor, state staff, or state contractor. This form should be filled out for future use by EPA or state staff in preservation of evidence related to the identification of potentially responsible parties. This form may be filled out at any point during the site discovery, assessment/investigation, or response phase.

It may not be possible to provide information for each of the items on this form but, providing information on as many of the items as possible will improve the overall efficiency of the site remediation and enforcement processes. When you have completed it to the extent feasible, please distribute copies of this form to the appropriate EPA and state personnel (e.g., civil investigators, EPA or state attorney, OSC, RPM, etc.), and place the original in the site file.

### **1. Potential Site referred:**

**Region:**

**Site Name:**

**Location:**

### **2. Referred by:**

Department/Agency		Contact Name	Phone #
<input type="checkbox"/>	State		
<input type="checkbox"/>	National Response Center		
<input type="checkbox"/>	Other:		

### **3. Basic site information was requested to be submitted to the regional office from the above referral contact:**

☐ Yes

☐ No

**4. Identification of person completing this checklist:**

**Organization:**

**Name:**

**Title:**

**Phone:**

**Mailing Address:**

**5. The OSC (or other First Responder) determines the urgency of the situation at the site, assessing the factual information referred against the criteria set forth in the National Contingency Plan.**

**6. Site Team formed, OSC, Attorney, Enforcement Specialist, Civil Investigator, Site Assessment Manager, Remedial Project Manager, EPA contractor, state staff, etc.**

**7. Site Team reviews information to ascertain responsible corporate officers, registered agents, and principal environmental and/or health and safety contacts. Examples of information to be reviewed and source, include but are not limited to the following:**

- ☐ U.S. EPA media files (NPDES permits, RCRA information, EPCRA releases, CAA permits)
- ☐ State media files
- ☐ Local health department files
- ☐ Historical society information/historical photos
- ☐ Newspaper archives
- ☐ Local university archives
- ☐ Sanborn fire insurance maps
- ☐ Other: **[insert information type here]**

**8. Obtain access agreement(s) with last known owner(s) of site property:**

☐ Yes      ☐ No      **Date obtained:**

**9. Identification of the property to be visited:**

- ☐ Copy of deed
- ☐ Address:
- ☐ Plat #:
- ☐ Cross Street Location:

10. Identification of possible contacts that may be a source of information in the future, including complete names, titles, addresses, and telephone numbers. Include all people you encounter on the site, and anyone volunteering information about the site: [\*Owners/operators, prior owners/operators, generators, transporters, local authorities, state and other federal agencies, local libraries, other]

Association with Site and Number of Years*	Contact Name	Address	Phone No.
<i>Owner/25 yr</i>	<i>Joe Smith</i>	<i>123 Any Street City, State 12345</i>	<i>012-345-6789</i>

(Select "Tab" in last cell of row to add new row.)

11. Interviews were conducted with the following contacts:

Interviewee	Association with Site and Number of Years	Date Interview Conducted	Interviewer	Transcript Available Yes/No
<i>John Smith</i>	<i>Owner/29 yrs</i>	<i>03/21/20XX</i>	<i>Jane Jones</i>	<i>Yes</i>

(Select "Tab" in last cell of row to add new row.)

12. Information about records located onsite:

Type of Records*	Location of Records	Condition of Records**	Name of Person in Possession of Records
<i>Letterhead</i>	<i>File cabinet</i>	<i>Good quality</i>	<i>Joe Smith</i>

(Select "Tab" in last cell of row to add new row.)

\* Types of records, to include but not limited to: log books, driver's tickets, utility bills, payroll records, letterheads, or other specific correspondence or records.

\*\* Please identify if: contaminated, damaged, poor quality, good quality, other

13. Are there file cabinets on site? *If yes, complete table below.*

Number of File Cabinets	Location of File Cabinets	Condition of Cabinets/Files

(Select "Tab" in last cell of row to add new row.)

14. Were photographs taken? *[Note: photographs should conform to accepted photographic record protocol. Refer to TAT, site assessment, and criminal investigators for EPA photographic protocol]*

☐ Yes ☐ No

List photographs taken:

15. Were drums found at the Site? ☐ Yes ☐ No

Number of Drums:

Number of Drums with Labels:

16. Was sampling done? ☐ Yes ☐ No

17. Neighbors near the site:

Name	Association With Site and Number of Years	Address	Phone No.	Interviewed and Date Yes/No
<i>Joe Smith</i>	<i>Neighbor/12 yrs</i>	<i>123 Street City, State, Zip</i>	<i>123-456-7890</i>	<i>Yes (8/29/17)</i>

(Select "Tab" in last cell of row to add new row.)

**18. Additional potential sources for gathering site information:**

- ☐ Neighboring Businesses
- ☐ County Recorder:
  - ☐ Deed Information
  - ☐ Past Tax Information
  - ☐ Sidwell Maps
- ☐ Financial Information
  - ☐ Financial Institutions
  - ☐ Accountant Information
  - ☐ Commerce Clearing House (CCH) Publications (Capital Transactions)
- ☐ PRP Information on EPA Databases
  - ☐ CERCLIS
  - ☐ IDEA
  - ☐ FINDS
  - ☐ ERNS
- ☐ Electronic Database Review
  - ☐ Choice Point
  - ☐ Dun & Bradstreet
  - ☐ Lexis/Nexis (or Westlaw)
  - ☐ Corporate Information
  - ☐ Prior lawsuits, bankruptcy filings, SEC filings
  - ☐ Internet sources

**19. OSC plans for:**

- ☐ Removal action
- ☐ Removal scoping
- ☐ Public participation
- ☐ Establish administrative record

**21. Based on information gathered to date, appropriate enforcement activities should be taken:**

- ☐ Issue information request
- ☐ State an opportunity, in the information request, for the PRPs to provide information on additional PRPs
- ☐ Initiate title search
- ☐ Review relevant site records
- ☐ Initiate PRP search report
- ☐ Oral/written general notice letters issued to known PRPs

**22. OSC prepares Action Memorandum**

- ☐ Develop negotiation strategy
- ☐ Prepare draft administrative order on consent (AOC)
- ☐ Negotiate AOC or issue unilateral administrative order (UAO)

*[Note: When issuing UAOs, the enforcement team should follow guidance on Administrative Reforms. The UAO should be issued equitably to the largest manageable number of parties and the team should document the reasons why the UAO is not issued to all PRPs, if appropriate.]*

**22. Site cleanup:**

- ☐ PRP-lead
- ☐ Fund-lead

**23. Cost recovery phase:**

**Complete enforcement investigations:**

- ☐ Follow-up on earlier PRP search
- ☐ Update title search if necessary
- ☐ Cost recovery activities:
- ☐ Itemized cost summary
- ☐ Send demand letters
- ☐ Cost recovery referral
- ☐ Close-out memorandum (where appropriate, if case is not referred to DOJ)
- ☐ Cost documentation package
- ☐ Work performed documents

**Please use the following space to provide additional noteworthy information regarding this checklist and the site:**

**Please attach all relevant information that has been referenced in this checklist and distribute to the appropriate regional civil investigator, site file, and other EPA or state personnel as appropriate.**