APPENDIX A TO PART 307—APPLICATION FOR PREAUTHORIZATION OF A CERCLA
RESPONSE ACTION

United States Environmental Protection Agency
Washington, DC 20460

Application for Preauthorization of a CERCLA
Response Action

General Instructions: Complete all items in ink or by typewriter. If an item is not applicable to your preauthorization request, write "N/A" in the appropriate space. Attach typewritten sheets for additional information. Specific instructions are presented on page 3 of this form.

I. Introductory Material
   A. Name, Title and Address of Applicant(s):
   B. Name of Site:
   C. Eligibility:
      □ Individual
      □ Firm
      □ Foreign Applicant
   D. Name, Title and Address of Agent (if any) Authorized to Represent the Applicant:

II. Relates to Actual or Threatened Release of a Hazardous Substance, Pollutant or Contaminant
   A. Date and time (am/pm) of release (if known)
   B. Location of the release:
   C. Is the release or threat of release at an NPL site? □ Yes  □ No
      If yes, what is the site name on the NPL?
   D. Provide a short description of the release or threat of release:

   E. Did you contact the National Response Center? □ Yes  □ No
      If yes, provide the date and the manner of the notice:

III. Relates to Potentially Responsible Parties (PRPs)
   A. Are you a person whom EPA previously identified as a PRP for the site in question? □ Yes  □ No
      If yes, provide date of notice letter:
   B. If you have not been identified as a PRP, do you fall within one of the four categories of potentially liable parties set forth in section 107(a) of CERCLA? □ Yes  □ No
      If yes, describe why:
   C. Is the application to be approved in the context of a consent order or decree? □ Yes  □ No
      If yes, provide information as to the status of the settlement negotiations, provide the name of the relevant EPA contact person, and attach the most recent draft of any settlement agreement:
   D. Have you identified any PRPs for the release or threat of release in question? □ Yes  □ No
      If yes, attach a list of known PRPs and describe the results of any contacts with them.
      If no, describe efforts to identify PRPs:

IV. Relates to Proposed Response Action
   A. Briefly summarize the proposed response action and attach a schedule of major response activities:

   B. Identify which provisions of the National Contingency Plan (NCP) are applicable for the proposed types of response activity (e.g., removal, R/F/S) and describe how the proposed action will be conducted in accordance with those provisions.
C. Address how the proposed response action will be consistent with the NCP with regard to the following performance standards:
   1. Worker training, health and safety, and the safety of the public.
   2. Community relations plan
   3. Compliance with legally applicable, or relevant and appropriate, Federal and State environmental requirements (ARARs).

V. Relates to Applicant’s Capabilities

Describe your capabilities to carry out the proposed response actions.

VI. Relates to State or Indian Tribe Consultation

Has a letter signed by the designated State or Indian Tribe official been attached?  [ ] Yes  [ ] No  [ ] If no, explain.

VII. Relates to Long-Term Operations and Maintenance (O&M) (If applicable)

[ ] I will provide a bond or other financial assurance for O&M.  [ ] The State has agreed to provide for O&M.

Attach documentation to support your assertion.

VIII. Relates to Projected Costs

A. Provide the projected costs for each proposed response activity and attach an explanation of why each of these costs is "necessary."

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$</td>
</tr>
<tr>
<td>2</td>
<td>$</td>
</tr>
<tr>
<td>3</td>
<td>$</td>
</tr>
<tr>
<td>4</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>TOTAL $</td>
</tr>
</tbody>
</table>

B. Provide a proposed schedule for the submission of claims.

IX. Relates to Project Management

A. Describe the management structure to be put in place to implement the proposed project and to control financial matters.

B. Describe your procedures for comprehensively documenting the work performed and the costs incurred for all phases of the proposed response action.

C. Describe your procedures for reporting to EPA on the progress of the proposed project and for EPA oversight.

D. Describe your proposed procurement procedures

Certification

I certify that all information herein is true to the best of my knowledge. I agree to supply additional information as requested in support of this application and access to the site for purpose of inspection.

Signature of Applicant  Date  

CERCLA Penalty for Presenting Fraudulent Claim

Any person who knowingly gives or causes to be given false information as a part of a claim against the Hazardous Substance Superfund may, upon conviction, be fined in accordance with the applicable provisions of Title 18 of the United States Code or imprisoned for not more than 3 years (or not more than 5 years in the case of a second or subsequent conviction), or both. 42 USC 9612(b)(1)(B)

Civil Penalty for Presenting Fraudulent Claim

The claimant is liable to the United States for a civil penalty of $2,000 and an amount equal to two times the amount of damages sustained by the Government because of the acts of the person, including costs at the suit action.

Criminal Penalty for Presenting Fraudulent Claim or Making False Statements

The claimant will be charged a maximum fine of not more than $10,000 or be imprisoned for a maximum of 5 years, or both. 18 USC 1001.
INSTRUCTIONS TO APPLY FOR PREAUTHORIZATION OF A CERCLA RESPONSE CLAIM

The form is to be used in the context of a claim for a hazardous substance Superfund Action and as authorized by sections 113(a) and 122 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). EPA preauthorization is required before a party can begin response work that party desires Fund reimbursement of response costs. The regulatory procedure for obtaining preauthorization from EPA is found at 40 CFR Part 307. The public reporting burden for the completion of this form is estimated to vary between 198 and 300 hours—averaging 250 hours per application. These estimates include the time needed to review instructions, search existing data sources, gather and maintain the data needed for completing and reviewing the collection of information. Any comments concerning the burden estimates including suggestions for reducing the burden of any aspect of this form should be sent to the following addresses:

Chief, Information Policy Branch, PA-223
U.S. Environmental Protection Agency
4411 N. St. NW
Washington, DC 20460

Office of Information and Regulatory Affairs
Office of Management and Budget
725 Jackson Place, N.W.
Washington, DC 20503

Attention: Desk Officer for EPA

The applicant bears the burden for demonstrating that the scarce Fund resources should be utilized for the project. Consequently, all preauthorization applications must be filed through EPA Regional offices. In general, the burden of proof for each item in the form will be on the applicant. The applicant must provide sufficient documentation to support the statement presented in the form. Applicants should submit all relevant information to include all supporting data. The application should include at least one copy of detailed summaries of the primary data. However, the original documents should be submitted if requested by EPA. All supporting data should be in a form that will provide clear cross-references between the items on this form and any exhibits that are submitted.

A number of items in this application will require that the applicant provide answers. In circumstances, the applicant shall supply sufficient documentation to support the statements presented in the form. The applicant should be prepared to include all supporting data. Applications not submitted with sufficient information shall be returned to the applicant. Applicants should contact the appropriate components of EPA for assistance with any necessary follow-up or additional information that will provide clear cross-references between the form and the application.

Applicants should consult with their regional office of the Fund to assist with completion of the form.

When completing this form, the applicant should be prepared to provide particular items to the Office of Emergency and Remedial Response (Office).

The sections below provide instructions for particular items on the claim form:

I. Provide the name, address and address of the person submitting this application. If the claim is submitted by a group of persons who have created a legal entity to act on behalf of all of them, information should be provided concerning the identity and location of such entities and their constituent parties.

II. Self-explanatory.

III. Check all that apply.

IV. Provide an explanation of the information provided in the box.

V. If you checked YES for any or all of the box(es) in the box, explain why this application is not to be approved in the context of a contract award or decision. Describe the status of any settlement negotiations.

VI. List all PRPs known to you. Describe any contacts with PRPs and any action taken by such parties. If PRPs are unknown, describe efforts to locate such PRPs.

VII. Self-explanatory.

VIII. Describe the response after the application is approved. Include any other relevant information.

IX. Self-explanatory.

X. Self-explanatory.

1. The applicant must provide a description of any natural resources impacted or likely to be impacted by the proposed action. This includes the type and extent of natural resources to be impacted and the expected impacts on natural resources.

2. Include a description of financial and technological/operational capabilities.

3. The applicant must describe the steps taken to ensure that the response action is consistent with federal, state, or local regulations and applicable standards.

4. The applicant must provide the expected costs and timelines for the proposed action. Costs should include both direct and indirect costs.

5. The applicant must provide the expected benefits of the proposed action. Benefits should include both direct and indirect benefits.

6. The applicant must provide a description of the expected impacts on the environment and human health.

7. The applicant must provide a description of the expected impacts on the local community and other affected parties.

8. The applicant must provide a description of the expected impacts on the economy and the local community.

9. The applicant must provide a description of the expected impacts on the economy and the local community.

10. The applicant must provide a description of the expected impacts on the economy and the local community.

11. The applicant must provide a description of the expected impacts on the economy and the local community.

12. The applicant must provide a description of the expected impacts on the economy and the local community.

13. The applicant must provide a description of the expected impacts on the economy and the local community.

14. The applicant must provide a description of the expected impacts on the economy and the local community.

15. The applicant must provide a description of the expected impacts on the economy and the local community.

16. The applicant must provide a description of the expected impacts on the economy and the local community.

17. The applicant must provide a description of the expected impacts on the economy and the local community.

18. The applicant must provide a description of the expected impacts on the economy and the local community.

19. The applicant must provide a description of the expected impacts on the economy and the local community.

20. The applicant must provide a description of the expected impacts on the economy and the local community.

21. The applicant must provide a description of the expected impacts on the economy and the local community.

22. The applicant must provide a description of the expected impacts on the economy and the local community.

23. The applicant must provide a description of the expected impacts on the economy and the local community.

24. The applicant must provide a description of the expected impacts on the economy and the local community.

25. The applicant must provide a description of the expected impacts on the economy and the local community.

26. The applicant must provide a description of the expected impacts on the economy and the local community.

27. The applicant must provide a description of the expected impacts on the economy and the local community.

28. The applicant must provide a description of the expected impacts on the economy and the local community.

29. The applicant must provide a description of the expected impacts on the economy and the local community.

30. The applicant must provide a description of the expected impacts on the economy and the local community.

31. The applicant must provide a description of the expected impacts on the economy and the local community.

32. The applicant must provide a description of the expected impacts on the economy and the local community.

33. The applicant must provide a description of the expected impacts on the economy and the local community.

34. The applicant must provide a description of the expected impacts on the economy and the local community.

35. The applicant must provide a description of the expected impacts on the economy and the local community.

36. The applicant must provide a description of the expected impacts on the economy and the local community.

37. The applicant must provide a description of the expected impacts on the economy and the local community.

38. The applicant must provide a description of the expected impacts on the economy and the local community.

39. The applicant must provide a description of the expected impacts on the economy and the local community.

40. The applicant must provide a description of the expected impacts on the economy and the local community.

41. The applicant must provide a description of the expected impacts on the economy and the local community.

42. The applicant must provide a description of the expected impacts on the economy and the local community.

43. The applicant must provide a description of the expected impacts on the economy and the local community.

44. The applicant must provide a description of the expected impacts on the economy and the local community.

45. The applicant must provide a description of the expected impacts on the economy and the local community.

46. The applicant must provide a description of the expected impacts on the economy and the local community.

47. The applicant must provide a description of the expected impacts on the economy and the local community.

48. The applicant must provide a description of the expected impacts on the economy and the local community.

49. The applicant must provide a description of the expected impacts on the economy and the local community.

50. The applicant must provide a description of the expected impacts on the economy and the local community.