### Appendix A to Part 307—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 "NA" in the appropriate space. Attach typewritten sheets for additional information. Specific instructions are presented on page 3 of this form.

#### I. Introductory Material

<table>
<thead>
<tr>
<th>A. Name, Title and Address of Applicant(s):</th>
<th>B. Name of Site:</th>
<th>C. Eligibility:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Individual</td>
</tr>
<tr>
<td>D. Name, Title and Address of Agent (if any) Authorized to Represent the Applicant:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### II. Relates to Actual or Threatened Release of a Hazardous Substance, Pollutant or Contaminant

<table>
<thead>
<tr>
<th>A. Date and time (am/pm) of release (if known):</th>
<th>B. Location of the release:</th>
</tr>
</thead>
<tbody>
<tr>
<td>C. Is the release or threat of release at an NPL site? Yes</td>
<td>No</td>
</tr>
<tr>
<td>If yes, what is the site name on the NPL?</td>
<td></td>
</tr>
<tr>
<td>D. Provide a short description of the release or threat of release:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E. Did you contact the National Response Center?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>If yes, provide the date and the manner of the notice:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>If no, explain why not:</td>
<td></td>
</tr>
</tbody>
</table>

#### III. Relates to Potentially Responsible Parties (PRPs)

<table>
<thead>
<tr>
<th>A. Are you a person whom EPA previously identified as a PRP for the site in question?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>If yes, provide date of notice letter:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If yes, describe why:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Is this application to be approved in the context of a consent order or decree?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>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:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Have you identified any PRPs for the release or threat of release in question?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If yes, attach a list of known PRPs and describe the results of any contacts with them:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>If no, describe efforts to identify PRPs:</td>
<td></td>
</tr>
</tbody>
</table>

#### IV. Relates to Proposed Response Action

<table>
<thead>
<tr>
<th>A. Briefly summarize the proposed response action and attach a schedule of major response activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Identify which provisions of the National Contingency Plan (NCP) are applicable for the proposed types of response activity (e.g., removal, RIFS) and describe how the proposed action will be conducted in accordance with those provisions:</td>
</tr>
</tbody>
</table>
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 (ARA @s).

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

<table>
<thead>
<tr>
<th></th>
<th>A. Provide the projected costs for each proposed response activity</th>
<th>B. Provide a schedule for the submission of claims.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>provide an explanation of why each of these costs is</td>
<td></td>
</tr>
<tr>
<td></td>
<td>necessary.</td>
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</tr>
<tr>
<td>1</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>$</td>
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<tr>
<td>3</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>$</td>
</tr>
</tbody>
</table>

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 6968(c)(11))

Criminal Penalty for Presenting Fraudulent Claim
The element is a false to the United States for a civil penalty of $2,000 and an amount equal to twice the amount of damages sustained by the Government because of the acts of that person, including costs of the civil action.

Civil Penalty for Presenting Fraudulent Claim or Making False Statements
The element 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

This form is to be used to apply for EPA preauthorization of a claim against the Insolvent Subsidiary (and as authorized under sections 111(y) and 112 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 deems 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 330 hours—averaging 300 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 method (including suggestions for reducing the burden on any aspect of the form) should be sent to the following addresses:

CFO, Information Policy Branch, PA-223  
U.S. Environmental Protection Agency  
401 M St., S.W.  
Washington, D.C. 20460

Office of Information and Regulatory Affairs  
Office of Management and Budget  
200-17 E St., N.W.  
Washington, D.C. 20503

Attention: Desk Officer for EPA

The applicantEase the burden for demonstrating that scarce Fund resources should be utilized for this project. Consequently, all preauthorization applications should be fact-based, well-documented, and analyzed on sound analysis. Due to the complexity of the issues involved, it is not the applicant's intent to organize the submission so that it can be easily read by EPA officials.

In many cases, the spaces provided on this form will be insufficient for full presentation of the information solicited. In such circumstances, the applicant shall submit hierarchal sheets and provide clear cross-references between the items on this form and the attachments.

A number of items will also require the applicant to provide supporting documentation to support the statements presented in the form. Where such documentation is not included as part of the application, the applicant should submit one or more summaries of detailed summary of the primary data. However, the original documents should be retained in the event of a dispute or any other action of the Fund that may affect the outcome. The applicant should also provide complete summaries of all pertinent data that will provide cross-reference between the form and the attachments.

Applicants should consult Sec. 307.230(g), to exempt any claimants of business confidentiality.

When completed this form should be sent to:

U.S. Environmental Protection Agency  
401 M St., S.W.  
Washington, D.C. 20460

Attention: Director, Office of Emergency and Remedial Response (CER-200)

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

I. A. Provide the name, title, 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 as plaintiff, information should be provided concerning the identity and location of each of the entities and the constituent parts.

B. Self-explanatory.

C. Check all that apply.

D. "Agent" refers to any duly authorized agent, executor, administrator, or other legal representative of the applicant. If the preauthorization application is submitted by such an agent, he/she must present evidence of authority to so represent the applicant. (See 40 CFR Section 307.20).

II. A. Self-explanatory.

C. Self-explanatory.

D. This description must include the following information: the type of vessel and facility; the type and quantity of hazardous substance (including whether the substance is listed under CERCLA section 102); and a description of the surrounding population and/or environmental risk.

E. Self-explanatory.

IV. A. Check whether you are a person who EPA previously identified as a potentially responsible party (PRP).

B. Check whether you have reason to believe that any new or existing facility involved in the release is an active or closed Title IV facility. If you check both, provide details of the new or existing facility.

C. If you checked "Yes" for Items A or B and NO for this item, explain why this application is not to be approved in the context of a consent order or decree. Describe the status of any settlement negotiations.

D. List all PRPs known to you. Describe any contacts with PRPs and any action that has taken place with them. If PRPs are unknown, describe efforts to locate them.

IV. A. Self-explanatory.

B. Describe the response actions that are the subject of this request, including the removal and/ or treatment of hazardous substances.

C. Self-explanatory.

D. Include a description of financial and technical capabilities.

V. A. Provide a detailed description of the response action that has been taken, including any cost estimates. If applicable, include any cost estimates.

B. Include a description of financial and technical capabilities.

VI. A. If a letter of cooperation signed by the designee of the state or tribal level, is not attached to the application to undertake a remedial action, explain efforts made by the applicant to obtain such cooperation.

VII. A. If a letter of cooperation signed by the designee of the state or tribal level, is not attached to the application to undertake a remedial action, explain efforts made by the applicant to obtain such cooperation.

B. Include a description of financial and technical capabilities.

VIII. A. If the application is for an item that is a covered item, the application must include a description of the response action that has been taken, including any cost estimates. If applicable, include any cost estimates.

B. Include a description of financial and technical capabilities.

IX. A. If the application is for an item that is a covered item, the application must include a description of the response action that has been taken, including any cost estimates. If applicable, include any cost estimates.

B. Include a description of financial and technical capabilities.

X. A. If the application is for an item that is a covered item, the application must include a description of the response action that has been taken, including any cost estimates. If applicable, include any cost estimates.

B. Include a description of financial and technical capabilities.