

Chapter 1 References

Name	Section	Location
Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986	1.1	42 U.S.C. § 9601 et seq. http://www.epa.gov/emergencies/lawsregs.htm#laws
National Oil and Hazardous Substances Pollution Contingency Plan	1.1.1	40 C.F.R. Part 300 http://www.epa.gov/emergencies/lawsregs.htm#laws
Oil Pollution Act of 1990	1.1.1	33 U.S.C. § 2701 et seq. http://www.epa.gov/emergencies/lawsregs.htm#laws
Interim Guidance on the Ability to Pay and De minimis Revisions to CERCLA Section 122(g) by the Small Business Liability Relief and Brownfields Revitalization Act (May 17, 2004)	1.1.3	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/atp-demin-122g-04.pdf
Clean Air Act	1.2.2	42 U.S.C. § 7401 et seq. http://www.epa.gov/emergencies/lawsregs.htm#laws
Clean Water Act	1.2.2	33 U.S.C. § 1251 et seq. http://www.epa.gov/emergencies/lawsregs.htm#laws
Toxic Substances Control Act	1.2.2	15 U.S.C. § 2601 et seq. http://www.epa.gov/agriculture/lasca.html
Resource Conservation and Recovery Act	1.2.2	42 U.S.C. § 6901 et seq. http://www.epa.gov/epawaste/index.htm
CERCLA Hazardous Substances	1.2.2	40 C.F.R. Part 302 http://www.epa.gov/emergencies/lawsregs.htm#laws
Comptroller Policy Announcement 87-17, Interest Rates for Debts Recoverable Under the Superfund Amendments and Reauthorization Act of 1986 (September 30, 1986)	1.2.3	http://www.epa.gov/ocfo/finstatement/superfund/int_rate.htm

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Small Business Liability Relief and Brownfields Revitalization Act of 2002	1.2.5	Public Law 107-118 (H.R. 2869) http://www.epa.gov/brownfields/pdf/hr2869.pdf
Standards and Practices for All Appropriate Inquiries, 40 C.F.R. Part 312 (November 1, 2005)	1.2.5	http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title40/40cfr312_main_02.tpl
Fact Sheet on All Appropriate Inquiries Final Rule (October 2005)	1.2.5	http://www.epa.gov/brownfields/aai/aai_final_factsheet.pdf
Internal Revenue Code of 1986	1.2.6	http://www.irs.gov/taxpros/article/0,,id=98137,00.html
Contiguous Property Owner Guidance Reference Sheet (February 5, 2004)	1.2.6	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/contig-prop-faq.pdf
Superfund Recycling Equity Act (CERCLA Section 127)	1.2.6	42 U.S.C. § 9627 http://www.epa.gov/emergencies/lawsregs.htm#laws
Standards for the Management of Used Oil	1.2.6	40 C.F.R. Part 279 http://www.access.gpo.gov/nara/cfr/waisidx_08/40cfr279_08.html
Federal Insecticide, Fungicide, and Rodenticide Act	1.2.6	7 U.S.C. § 136 et seq. http://www.epa.gov/agriculture/lfra.html
Revised Settlement Policy and Contribution Waiver Language Regarding Exempt "De micromis" and Non-Exempt "De micromis" Parties (November 6, 2002)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/wv-exmpt-dmicro-mem.pdf
Interim Policy on CERCLA Settlements Involving Municipalities or Municipal Wastes (December 6, 1989)	1.2.7	TBD
Policy for Municipality and Municipal Solid Waste CERCLA Settlements at NPL Co-Disposal Sites (February 5, 1998)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/munic-solwst-mem.pdf

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Interim Guidance on the Municipal Solid Waste Exemption Under CERCLA Section 107(p) (August 20, 2003)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/interim-msw-exempt.pdf
Policy Toward Owners of Property Containing Contaminated Aquifers (May 24, 1995)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/contamin-aqui-rpt.pdf
Bona Fide Prospective Purchasers and the New Amendments (May 31, 2002)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/bonf-pp-cercla-mem.pdf
Windfall Lien Administrative Procedures (January 8, 2008)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/wf-admin-mem.pdf
Interim Enforcement Discretion Policy Concerning “Windfall Liens” Under Section 107(r) of CERCLA (July 16, 2003)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/interim-windfall-lien.pdf
Policy Towards Owners of Residential Property at Superfund Sites (July 3, 1991)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/policy-owner-rpt.pdf
Interim Guiding Principles for Good Samaritan Projects at Orphan Mine Sites and Transmittal of CERCLA Administrative Tools for Good Samaritans (June 6, 2007)	1.2.7	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/cercla-goodsam-principles-mem.pdf
Sample General Notice Letter (April 30, 2008)	1.3.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/gnl-mod-08.pdf
Revised Final Guidance on Disseminating EPA’s SBREFA Information Sheet to Businesses at the Time of Enforcement Activity (August 31, 1999)	1.3.1	http://www.epa.gov/compliance/resources/policies/civil/sbrefa
Small Business Information Sheet (October 2007)	1.3.1	http://www.epa.gov/compliance/resources/publications/incentives/smallbusiness/sm-allbusresources.pdf

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Orphan Share Policy (June 3, 1996)	1.3.2	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/orphan-share-rpt.pdf
Superfund Removal Procedures Removal Enforcement Guidance for On-Scene Coordinators (April 1992)	1.3.2	OSWER Directive 9360.3-06; NTIS Product Code PB92963409 http://www.ntis/search/index.aspx
Addendum to the Interim CERCLA Settlement Policy Issued on December 5, 1984 (September 30, 1997)	1.3.3	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/adden-settle-mem.pdf

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Name	Section	Location
Entry and Continued Access Under CERCLA (June 5, 1987)	2.0	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/cont-access-mem.pdf
Applicable or Relevant and Appropriate Requirements (ARARs)	2.0	http://www.epa.gov/superfund/policy/remedy/sfremedy/arars.htm
Superfund Program Implementation Manual (SPIM) Fiscal Year 2009/2010	2.0	http://www.epa.gov/superfund/action/process/spim09.htm
Performance Work Statement for Enforcement Support Services	2.1.1	Appendix A
Environmental Programs Assistance Act (June 12, 1984)	2.1.1	http://www.epa.gov/epahrist/see/brochure/law.htm
Title V of the Older Americans Act (1965)	2.1.1	42 U.S.C. § 3056 et seq. http://www.doleta.gov/seniors/other_docs/owp-106-501.pdf
Revised Final Guidance on Disseminating EPA's SBREFA Information Sheet to Businesses at the Time of Enforcement Activity (August 31, 1999)	2.1.2	http://www.epa.gov/compliance/resources/policies/civil/sbrefa
Small Business Information Sheet (October 2007)	2.1.2	EPA Publication 300-F-07-003 http://www.epa.gov/compliance/resources/publications/incentives/smallbusiness/smallbusresources.pdf
Confidentiality of Business Information	2.1.2	40 C.F.R. Part 2, Subpart B http://ecfr.gpoaccess.gov
Transmittal of Sample Documents for More Effective Communication in CERCLA Section 104(e)(2) Information Requests (June 30, 1995)	2.1.2	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/sampledoc-cercla-mem.pdf
Documentation of Reason(s) for Not Issuing CERCLA §106 UAOs to All Identified PRPs (August 2, 1996)	2.1.2	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/reason-cer106-rpt.pdf
Checklist of PRP Search Tasks	2.2	Appendix B

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Checklist for Removal/Pre-remedial Sites	2.2.1	Appendix C
Performance Work Statement for Enforcement Support Services	2.2.1	Appendix A
Revised Policy on Discretionary Information Release Under CERCLA (March 31, 1993)	2.3	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/rev-discre-info-rel.pdf
Privacy Policy (September 27, 2007)	2.3	http://www.epa.gov/irmpoli8/ciopolicy/2151.0.pdf
Confidentiality of Business Information	2.3	40 C.F.R. Part 2, Subpart B http://ecfr.gpoaccess.gov
Freedom of Information Act (Reference Guide)	2.3	5 U.S.C. § 552 et seq. http://www.epa.gov/foia/guide.html
Privacy Act	2.3	5 U.S.C. § 552 et seq. http://www4.law.cornell.edu/5/552a.html
Quick Reference Guide for Using CERCLIS/WasteLAN	2.4.2	Appendix D

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Checklist of PRP Search Tasks	3.0	Appendix B
PRP Search Enhancement Team Members/Contacts	3.2.1	Appendix E
Information Requests – 104(e) Question Categories	3.3	http://www.epa.gov/compliance/resources/publications/cleanup/superfund/104e/index.html
Potentially Responsible Party Internet Information Sources (PRPIIS)	3.3.1	Appendix F
Superfund Enforcement Directory	3.3.1	http://www.epa.gov/compliance/cleanup/superfund/sfed/index.html
Transmittal of Sample Documents for More Effective Communication in CERCLA Section 104(e)(2) Information Requests (June 30, 1995)	3.3.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/sampledoc-cerclamem.pdf
False Statements Act	3.3.1	http://www4.law.cornell.edu/uscode/18/1001.html
Federal Debt Collection Procedures Act	3.3.1	http://www.uscode.house.gov/download/pls/28C176.txt
Releasing Information to Potentially Responsible Parties at CERCLA Sites (March 1, 1990)	3.3.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/release-prp-rpt.pdf
EPA Regulations Governing Business Confidentiality Claims	3.3.3	40 C.F.R. § 2.201-2.215 http://www.access.gpo.gov/nara/cfr/waisidx_01/40cfr2_01.html
Federal Rules of Evidence 801-817	3.4.1	http://www.law.cornell.edu/rules/fre/rules.htm
Federal Perjury Statute	3.4.2	18 U.S.C. § 1621 http://www.law.cornell.edu/uscode/html/uscode18/usc_sec_18_00001621----000-.html
Performance Work Statement for Enforcement Support Services	3.5.1	Appendix A

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Final Guidance on Preparing Waste-In Lists and Volumetric Rankings for Release to Potentially Responsible Parties (PRPs) Under CERCLA (February 22, 1991)	3.8	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/guide-volumet-rpt.pdf
Streamlined Approach for Settlements With De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(A) (July 30, 1993)	3.8	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/app-deminimis-rpt.pdf

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Information Requests – 104(e) Question Categories	4.1	http://www.epa.gov/compliance/resources/publications/cleanup/superfund/104e/index.html
Model Administrative Order for CERCLA Information Requests (September 30, 1994)	4.2	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/modao-cerinf-mem.pdf
Civil Monetary Penalty Inflation Rule	4.2	40 C.F.R. Part 19 http://ecfr.gpoaccess.gov
Final Model Litigation Report and Complaint for CERCLA Section 104(e) Initiative (January 1990)	4.2	http://intranet.epa.gov/oeca/osre/docs.html
Recommendations Concerning the Use and Issuance of Administrative Subpoenas under CERCLA Section 122 (August 30, 1991)	4.3	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/subpoena-cercla-mem.pdf
Guidance on Use and Enforcement of CERCLA Information Requests and Administrative Subpoenas (August 25, 1988)	4.3	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/cerc-infreq-mem.pdf
Federal Rules of Civil Procedure, Rule 27	4.4	28 U.S.C. App. http://www.uscourts.gov/rules/CV2008.pdf
General Policy on Superfund Ability to Pay Determinations (September 30, 1997)	4.5.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/genpol-atp-rpt.pdf
Model Notice Approving Reduction in Settlement Amount Based on Inability to Pay (April 30, 2008)	4.5.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/app-B-arc.pdf
Model Notice Denying Reduction in Settlement Amount Based on Inability to Pay (April 30, 2008)	4.5.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/app-D-arc.pdf
Interim Guidance on the Ability to Pay and De Minimis Revisions to CERCLA § 122(g) by the Small Business Liability Relief and Brownfields Revitalization Act (May 17, 2004)	4.5.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/atp-demin-122g-04.pdf

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Enforcement Economic Models	4.5.2	http://www.epa.gov/compliance/civil/econmodels ; http://www.indecon.com/iec_web/econmodels/practice/models
Individual Ability To Pay Claim (INDIPAY) Financial Data Request Form	4.5.2	Appendix G
Ability To Pay Individual Request for Information	4.5.2	Appendix H
Individual Ability To Pay Claim Financial Data Request Form	4.5.2	Appendix I
Financial Disclosure Statement To Be Completed by Individual Defendant	4.5.2	Appendix J
EDGAR	4.5.2	http://www.sec.gov/edgar.shtml
Potentially Responsible Party Internet Information Sources (PRPIIS)	4.5.2	Appendix F
Interim Enforcement Discretion Policy Concerning "Windfall Liens" Under Section 107(r) of CERCLA (July 16, 2003)	4.5.3	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/interim-windfall-lien.pdf
Interim Guidance on Orphan Share Compensation for Settlers of Remedial Design/Remedial Action and Non-Time-Critical Removals (June 4, 1996)	4.6	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/orphan-share-rpt.pdf
Addendum to the Interim CERCLA Settlement Policy Issued on December 5, 1984 (September 30, 1997)	4.6.1	http://www.epa.gov/compliance/resources/policies/cleanup/superfund/adden-settle-mem.pdf