

Frequently Asked Questions about Information Request Letters and Identifying Potentially Responsible Parties Lower Duwamish Waterway Superfund Site



Seattle, Washington
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Where can I find an overview of the process to identify Potentially Responsible Parties?

An overview can be found at this web site:

www.epa.gov/compliance/cleanup/superfund/find.html

Why does EPA send out information request letters?

These letters are part of EPA's information gathering process and search for potentially responsible parties (PRP) under the authority provided by Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Superfund law. Issuing information request letters provides EPA with important information about a Superfund site and is a basic component of nearly all PRP searches.

Who is a Potentially Responsible Party?

A potentially responsible party can be a:

- current owner or operator of a facility
- former owner or operator of a facility at a time when hazardous substances were disposed
- person who arranged for treatment or disposal of hazardous substances
- transporter of hazardous substances who selected the disposal site

In addition to looking at properties next to the Lower Duwamish Waterway, EPA also looks at upland properties which may have contributed to the contamination of the waterway through various means including storm drains, stormwater runoff, and groundwater contamination.

Does receiving an information request letter mean the government has decided that I am a potentially responsible party?

No. It means that EPA has reason to believe that you have information about past or current property use. The information received in response to an information request letter is one of the sources EPA uses to identify potentially responsible parties.

Does receiving a general notice letter mean the government has decided that I am a Potentially Responsible Party?

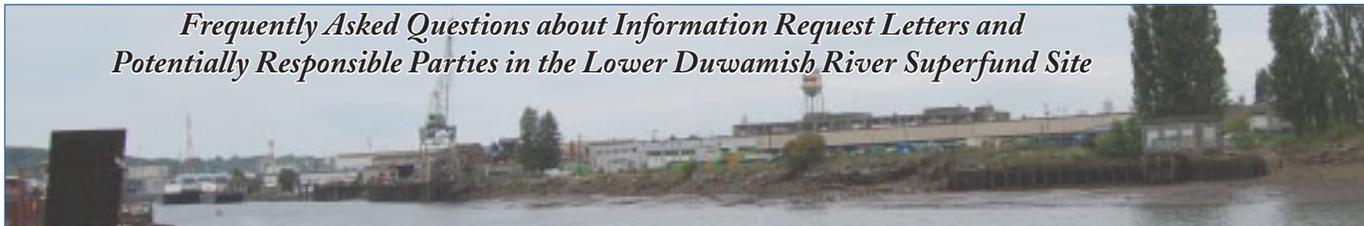
If a general notice letter accompanies an information request letter it means that EPA has reason to believe that you may be a potentially responsible party.

Can letter recipients choose not to respond to EPA?

Compliance with the request letter is mandatory, and if EPA does not receive a complete response, the recipient may be subject to possible enforcement action from EPA.

What is the timing of the PRP search for the Lower Duwamish Waterway site?

EPA will attempt to send notice letters to parties that it believes may be PRPs before the Proposed Plan is released for public comment in early 2013. Formal negotiations will begin when a remedy is selected in a Record of Decision currently scheduled to be completed in 2014.



How can I see the responses of other information request recipients?

You can submit a request under the Freedom of Information Act. The more specific your request, the better able we will be to respond. Requests can be submitted electronically at:

📧 http://1.usa.gov/FOIA_R10

Can I start cleaning up my property before the Waterway-wide cleanup?

Contact EPA or the Washington Department of Ecology before undertaking any significant voluntary cleanup action. EPA and Ecology have invested considerable time characterizing contamination in and along the Duwamish Waterway.

For More Information

Cleanups on land

Contact the Washington Department of Ecology regarding activities on upland sites. Ecology may allow some work under the Voluntary Cleanup Program (VCP). This program requires advance review and approval of all voluntary cleanup activities.

Ecology will decide on a site-by-site basis if a site is appropriate for the VCP. If work is done through the VCP, additional work may be required as a part of the larger Lower Duwamish Waterway cleanup. Ecology encourages businesses along the waterway

to prevent new sources of contamination from reaching the waterway. To learn more about the Department of Ecology's role in the cleanup, visit:

📧 tinyurl.com/EcologyLDW

Contact:

Andrew Smith, Senior Environmental Engineer
☎ 425-649-7138 📧 Andrew.smith@ecy.wa.gov

For **general information** about Ecology's programs, visit

📧 ecy.wa.gov/programs/tcp/policies/tcppoly.html

Cleanups in the waterway

Contact EPA if you are contemplating activities in the Lower Duwamish Waterway.

Contact:

Aaron Lambert, Remedial Project Manager
☎ 206-553-5122
📧 Lambert.aaron@epa.gov

To learn more about the EPA's role in the cleanup, visit:

📧 http://1.usa.gov/duwamish_clean

Other resources

Environmental Coalition of South Seattle

ECOSS is a free and confidential resource for the Puget Sound business community.

Contact them at

☎ 206-767-0432 or

📧 info@ECOSS.org

If you need materials in an **alternative format**, please contact Renée Dagseth at 1-800-424-4372 ext. 1889

📄 **TDD users:** please call the Federal Relay Service at 800-877-8339 and give the operator Renée's phone number.