**LEGAL CASE TRACKING SYSTEM** **ENFORCEMENT CASE ENTRY FORM**

**WASTE CLEANUP PRP ANALYSIS AND NOV QUESTIONNAIRE**

TO: Deputy General Counsel for Enforcement, OGC

This form accompanied by:

\_\_\_\_\_\_Draft Consent Order \_\_\_\_\_\_ Draft Final Order (those which do not

\_\_\_\_\_\_Case Report use Model Order language)

\_\_\_\_\_\_Draft NOV \_\_\_\_\_\_ Draft License and Permit Revocations

\_\_\_\_\_\_Draft Site Access Order \_\_\_\_\_\_ Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*please specify*)

FROM: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Is this a new case? \_\_\_\_\_\_Yes \_\_\_\_\_\_\_No Current OGC# \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following information will be used for entry in the Legal Case Tracking System.

Case Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Case Alias (related cases): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Responsible Office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

District Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Program Area:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_2nd Program Area \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Compliance/Enforcement Case Opened by District \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COMET Project No. or Other System No.(APIS,PWS)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Permit/Application Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Site ID Number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_Affected Water Body: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Comments:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

-----------------FOR OGC USE ONLY‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

OGC NUMBER:\_\_\_\_\_\_\_\_\_\_\_\_\_Date Case Opened: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

OGC ATTORNEY ASSIGNED:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Send Copies To:

\_\_\_\_\_\_\_\_\_\_\_\_\_Originator Other\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**WASTE CLEANUP PRP ANALYSIS AND NOV QUESTIONNAIRE**

Please type answers in the space below each item and indicate if any attachments are provided. If any of your conclusions are based on assumptions or inferences, please explain.

1. Provide the location of the source property (include address and county property appraiser’s parcel id number(s)).
2. List and briefly describe any administrative orders, permits, or final judgments pertaining to contamination at the site.
3. Summarize the contamination. Be sure to include the contaminants, exceedances of soil/groundwater/surface water/sediment standards/CTLs, the dates that the samples associated with the contaminants were taken, and locations on (or off) property.
4. Explain how and when DEP learned of the contamination.
5. Explain what is known regarding the initial cause of contamination. (Reminder: If your conclusion is based on any assumptions or inferences, be sure to explain.)
6. Explain any subsequent “disposals” (e.g., leaking from drums on site, spreading of contaminants during excavation, etc.). Be sure to include *when* such occurrences took place (or as much as known in this regard) and *how we know* the facts provided.
7. Explain any indication of leaching of contaminants to groundwater or surface water, as well as whether leaching can be confirmed at any point in time (including currently).
8. Even if we cannot prove exactly when contaminants leached, explain the periods of time during which leaching could have occurred and whether contaminants could currently be leaching. Be sure to explain any assumptions in this regard.
9. Explain what is known regarding off-site migration (i.e., whether it has been confirmed to have occurred or not occurred, and whether, based on what we know, it could have occurred at any point in time, including currently).
10. List all known owners and/or operators and/or dischargers, including name(s) and mailing address(es) with corresponding dates of ownership and/or operation. For business owners and operators, include entire name as listed in corporate information records available at [www.sunbiz.org](http://www.sunbiz.org). For each owner and/or operator, also include a general summary of the nature of each owner and/or operator’s use of the property.
11. Explain whether we can prove that the current owner(s) knows of contamination and, if so, how and for how long.
12. Explain any known actions taken by the current owner(s) to assess, control, or remediate the contamination or otherwise protect human health and the environment.
13. Describe any known actions taken by any other entity to assess, control, or remediate the contamination or otherwise protect human health and the environment.
14. If an entity began site rehabilitation activities but stopped or failed to respond timely, summarize what was done and why they stopped. Be sure to indicate whether any work performed was performed pursuant to Chapter 62-780, F.A.C., a Consent Order, a Consent Final Judgment, or some other settlement arrangement.
15. List the technical reports, documents, and/or correspondence that are essential to your understanding of this case. Include the name of the party that prepared the reports (i.e., the name of the consultant or contractor) and on whose behalf the reports were prepared (i.e., who paid the consultant or contractor).
16. List any documents not included in your answer to Question #15 above that you would like to draw OGC’s attention.
17. Provide the names, addresses, and phone numbers for any individual who may have knowledge of the conditions of the site at any point in time (include both Department staff and people associated with the site).
18. Describe any efforts taken by the District to prompt assessment or remedial activities at the site, including dates, names of those contacted, and responses received.
19. If there has been no assessment or sampling conducted in the last ten years that the Department is aware of, explain what the likely state of the contamination is and the scientific basis for that explanation.
20. List any other general facts or anything else you feel is relevant to the case (positive or negative) or anything else you feel the OGC attorney assigned to the case should be aware of.