



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
61 Forsyth Street
Atlanta, Georgia 30303-3104

May 2, 2013

URGENT LEGAL MATTER
PROMPT REPLY NECESSARY

«AddressBlock»

SUBJ: Soil Sampling Access; Cabot/Koppers Superfund Site
Property located at «LocationDescription»,
Gainesville, Florida 32609

«GreetingLine»

Greetings, the United States Environmental Protection Agency (“EPA”) is addressing the release or threat of release of hazardous substances, pollutants, or contaminants at the former Koppers portion of the Cabot Carbon/Koppers Superfund Site in Gainesville, Florida (“Site”). The EPA-approved remedial action for the Site includes the removal and replacement of surface soils at certain off-site parcels of land located to the west of the former Koppers facility.

Your property located at «LocationDescription», Gainesville, Florida 32609, specifically comprised of Alachua County parcel(s) «Parcels», (“Property”) is among the parcels that EPA has designated for additional soil sampling to be completed by the responsible party, Beazer East, Inc. (“Beazer”) under EPA’s oversight; this sampling will be used to assist EPA in identifying which parcels of land will require remediation.

For your Property, EPA is requesting access to conduct additional soil sampling. This sampling WILL NOT require access to the interior of any structures. In accordance with EPA’s mandate to protect human health and the environment, EPA requests that you sign the attached Access Authorization to grant access to conduct soil sampling at your Property in order to obtain additional information EPA needs to identify which parcels of land will require remediation.

EPA requests that you grant access to your Property for this phase of remedial action beginning on June 1, 2013 and continuing for six months thereafter. EPA anticipates that the sampling activities associated with this access request will commence on June 3, 2013 and will be completed within three weeks thereafter. However, actual start and completion dates cannot be predicted with certainty and are subject to schedule conflicts and unforeseen circumstances. Please indicate your consent to grant access to conduct the above described sampling activities on your Property by signing and dating the enclosed Access Authorization. Please return to me the signed authorization in the enclosed envelope no later than ten days after receipt. A second copy is included for your records.

«PropertyID»

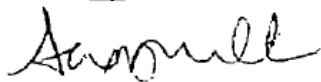
Pursuant to section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (“CERCLA”), 42 U.S.C. § 9601 *et seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986 (“SARA”) (Public Law 99-499), EPA has the express authority to acquire access to property affected by hazardous substances and to conduct the planned remedial action. If a request for access is denied, an administrative order directing compliance with the request may be issued, civil action to compel compliance may be initiated, or access may be sought by any other lawful means. (Under certain circumstances, a court may impose a civil penalty in an amount not to exceed \$37,500 per day for failure to grant access or comply with an administrative order directing that access be granted.)

Depending on the results of your property’s soil sampling results, EPA may determine that your property will require remediation to remove soil contamination. Implementation of the off-site soil remedial action will occur in phases. Each phase is described in more detail on the attached information sheet which describes in general terms the process and steps involved in implementing the EPA-approved off-site soil remedial action. As noted in the attached information sheet, either EPA or Beazer will separately request access for each phase of the off-site remediation work. Access for the first phase is being requested by EPA. EPA understands that you may have questions regarding the off-site remedial action planned for the Site and, depending on sampling results, your Property. Also attached is a sheet addressing several frequently asked questions. In addition, a public meeting will be held in late May or early June to provide more information to residents and to answer questions.

Should you have any legal questions regarding any of the foregoing, please contact F. Marshall Binford, Associate Regional Counsel, at (404) 562-9543 or via e-mail at binford.marshall@epa.gov. If you have any technical questions regarding sampling activities planned for your Property, please contact me at (404) 562-9120 or via e-mail at miller.scott@epa.gov.

Your assistance and cooperation are greatly appreciated.

Sincerely,



Scott Miller
Remedial Project Manager
Superfund Remedial Branch, Section C
Superfund Division

Enclosures:

1. Access Authorization for Sampling
2. Information Sheet: Expected Remediation Sequencing
3. Frequently Asked Questions

ACCESS AUTHORIZATION FOR SAMPLING

1. I, _____, am the owner of the property located at «LocationDescription», Gainesville, Florida 32609, specifically comprised of Alachua County parcel(s) «Parcels», (“Property”) and as such I have the authority to sign this authorization.

2. I grant authorization to the United States Environmental Protection Agency (“EPA”), its officers, employees, contractors and other authorized representatives and to the responsible party conducting the remediation, Beazer East, Inc. (“Beazer”) and its officers, employees, contractors and other authorized representatives to enter the Property. The Property is currently owned by _____. This authorization allows EPA, Beazer, and their respective officers, employees, contractors and other authorized representatives to access the Property to conduct soil sampling at the Property as part of the pre-remediation investigation of off-site properties that EPA has determined is necessary to define the area subject to off-site remedial action as part of the remedy for the Cabot Carbon/Koppers Superfund Site in Gainesville, Florida (“Site”).

3. The consent for access and use granted herein will commence on June 1, 2013, and will continue for six months hereafter, or until EPA or Beazer completes soil sampling activities.

4. I have been notified that the actions for which I am granting access to my Property are undertaken pursuant to EPA’s response authority under Section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA” or “Superfund”), 42 U.S.C. § 9604(a).

5. I have been notified that parties found responsible pursuant to Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), may be liable for all costs EPA incurs in connection with the response which are not inconsistent with the National Contingency Plan (“NCP”), at 40 CFR Part 300. However, my signature on this Access Authorization does not constitute an admission of liability under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

6. Please return this signed and dated Access Authorization to:

Scott Miller, Remedial Project Manager
Superfund Remedial Branch
Environmental Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street
Atlanta, GA 30303
Phone: (404) 562-9120
Fax: (404) 562-8896
E-mail: miller.scott@epa.gov

Date: _____ Name: _____
(Signature)

Name: _____
(Please print or type)

Title: _____

Address: _____