

URGENT LEGAL MATTER  
PROMPT REPLY NECESSARY  
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Brenda Forrester  
535 NW 31st Ave  
Gainesville, FL 32609  
SUBJ: 535 NW 31<sup>st</sup> Avenue, Gainesville, FL 32609

Dear Ms. Forrester:

The United States Environmental Protection Agency (EPA) is investigating the release or threat of release of hazardous substances, pollutants, or contaminants at or near the Cabot Carbon/Koppers Superfund Site in Gainesville, Florida (Site). Pursuant to EPA's mandate to protect human health and the environment, EPA requests that you grant access to your property in order to conduct soil sampling at the address listed above. Access to your property is necessary to perform soil sampling activities.

EPA requests that you grant access to your property beginning on August 15, 2010. The grant of access will be effective for the duration of the soil sampling. EPA anticipates that sampling activities will commence on August 16, 2010, and expects to complete the soil sampling action by September 30, 2010. However, actual start and completion dates cannot be predicted with certainty and are subject to schedule conflicts and unforeseen circumstances. Please indicate consent to grant access to EPA to conduct the above described activities at your property by signing and dating the enclosed authorization. Please return to me the signed agreement no later than **August 2, 2010**.

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 removal 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 \$32,500.00 per day for failure to grant access or comply with an administrative order directing that access be granted.

If you should have any questions, please contact Caroline Philson, Associate Regional Counsel, at (404)562-9588 or me at (404)562-9120. Your assistance and cooperation are appreciated.

Sincerely,

Scott Miller, Remedial Project Manager

**ACCESS AUTHORIZATION**

1. I, \_\_\_\_\_, own / live at (circle one) the property located at \_\_\_\_\_, 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 to enter the property located at \_\_\_\_\_. The property is currently owned by \_\_\_\_\_. This authorization allows EPA, its officers, employees, contractors and other authorized representatives to have access to the property to conduct soil sampling. EPA's activities at the property will include, but not be limited to, the taking of such soil, water, and air samples as may be determined to be necessary.
  
3. The consent for access and use granted herein will commence on August 15, 2010, and will continue until EPA completes the soil sampling action.
  
4. I have been notified that these actions by EPA are undertaken pursuant to its response authority under Section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund), 42 U.S.C. Section 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 by no later than **August 2, 2010** to:

Scott Miller  
Superfund Remedial Branch, Section C  
Environmental Protection Agency, Region 4  
Atlanta Federal Center  
61 Forsyth Street  
Atlanta, GA 30303  
**Fax:** (404) 562-8896  
**Email:** miller.scott@epa.gov

Date: \_\_\_\_\_ Name: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Please print or type)

Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_