



INSTRUCTIONS FOR APPLYING FOR WASTE QUANTITY REVIEW CASMALIA DISPOSAL SITE

To submit a **Waste Quantity Review Application**, please carefully read the instructions below and the explanation of U.S. EPA's review process. **Please submit your Waste Quantity Review Application to the U.S. EPA within thirty (30) days of receipt of the settlement offer.**

CATEGORIES OF WASTE QUANTITY REVIEWS

EPA will only accept a Waste Quantity Review Application that falls within the following categories:

- C Mistaken Identity (*i.e.*, "it's not my waste"); or
- C Error in Amount Attributed (*e.g.*, clerical or typographical error—wrong amount entered; or physical improbability)

The U.S. EPA will not accept a **Waste Quantity Review Application** for review of your company or organization's waste quantity on any other grounds. We recognize that you may have legitimate concerns that do not fall into these categories. However, in the interest of reducing transaction costs of both de minimis parties and the government, it is generally not practical to resolve such issues in the context of a de minimis settlement. The U.S. EPA is able to offer de minimis settlements to a large number of parties because of the streamlined nature of such settlements, which precludes consideration of many parties' individual issues.

PROCEDURES FOR APPLYING FOR A WASTE QUANTITY REVIEW

Please follow these steps in submitting the **Waste Quantity Review Application**:

1. Review the fact sheet entitled "**Waste Quantity Records**," which explains how the quantity of waste was determined for individual waste shipments;
2. Review the Waste Summary Report, which provides information on each shipment of waste attributed to your company or organization;
3. Review the copies of your manifests from the U.S. EPA, as well as any relevant records maintained by your company or organization.

4. Submit copies of the following documents for each waste shipment you want the U.S. EPA to review:

- L Completed Waste Quantity Review Application (*You must submit a separate form for each waste shipment (manifest) you are requesting that the U.S. EPA review. Therefore, you may wish to photocopy the form before beginning this process if you intend to apply for a review of more than one shipment.*);
- L Manifest(s) in Question (*Submit the copy(ies) that your company or organization received from EPA. If you wish to submit a copy from your company or organization's files, submit them as "supporting documentation."*);
- L Your Company or Organization's Waste Summary Report (*circle or otherwise mark the information about the waste shipment in question*);
- L Supporting Documentation (*e.g., copies of original documents including more legible waste manifests, weigh tickets, or bills of lading subject to the limitations below*).

NOTE: The U.S. EPA will not accept sworn statements or affidavits in the place of copies of original documents such as weigh tickets, bills of lading or more legible manifests that support your company or organization's request.

5. Submit an original signed signature page to the AOC.

Submitting a signed signature page indicates your company or organization's good faith willingness to participate in the de minimis settlement. Do not remit payment at this time. See discussion of payment under the heading below: **The U.S. EPA's Determination.**

The **Waste Quantity Review Application** should be submitted together with any other responses to this settlement offer, including a **Financial Review Application**, if you are submitting one. *If you are also submitting a request for the U.S. EPA to review your company or organization's ability to pay the full amount, you should submit both applications. DO NOT WAIT FOR THE U.S. EPA'S RESPONSE ON ONE ISSUE BEFORE SUBMITTING AN APPLICATION ON THE OTHER ISSUE, OR YOU WILL BE DISQUALIFIED FROM RAISING EITHER ISSUE.*

In addition, EPA reserves the right to review all entries contained on the Waste Summary Report for your company or organization. This review may result in an increase (or decrease) in your payment amount as a result of an adjustment to the total weight assigned to your company or organization.

THE U.S. EPA'S DETERMINATION

The U.S. EPA will review the information provided in timely and complete applications, and may require additional supporting information before making a determination of the correct waste quantity sent by your company or organization to the Site. Parties that are notified by the U.S. EPA that their waste quantity assessment was incorrect will be allowed to join a de minimis settlement by making a revised settlement payment specified by the U.S. EPA. Parties that submit a Waste Quantity Review Application but are not granted reductions in the waste quantity assessed to them will be allowed to participate in a de minimis settlement by making the full settlement payment.

Payment will be due thirty (30) days after the U.S. EPA notifies your company or organization of its determination. If you fail to submit payment by the deadline, you will not be included in the settlement.