



USDA CERCLA Potentially Responsible Party Search Guide

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USDA POTENTIALLY RESPONSIBLE PARTY (PRP) SEARCH GUIDE

I. INTRODUCTION

The purpose of this guide is to assist USDA employees and contractors involved in conducting searches for potentially responsible parties (PRPs) at environmental cleanup sites eligible for Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) actions and where the USDA is undertaking or involved in the CERCLA action.

It is the policy of the USDA that at sites where USDA will be the lead agency as defined in CERCLA and Executive Order 12580, USDA agencies will:

1. Complete PRP searches to determine if PRPs exist and if they are financially viable. These activities will be conducted in consultation with the Office of the General Counsel (OGC) and the USDA Hazardous Materials Management Group (HMMG).
2. Contact viable PRPs to determine their willingness to perform or pay for required cleanup activities and to enter into enforceable CERCLA agreements. Necessary legal activities will be implemented by OGC and the Department Of Justice (DOJ). Viable PRPs will be required to perform or pay for the work. If an urgent situation exists where immediate action in accordance with the NCP is necessary, the PRPs have been contacted, and the time needed for negotiations will result in unacceptable human health or environmental impacts, agencies may, after consultation with OGC and HMMG, perform the work and seek cost recovery later.

It is policy at sites where USDA is not the lead agency or is a PRP, that agencies will work with the environmental regulators to identify other PRPs and work with the regulators and other PRPs to complete needed environmental cleanup work.

A PRP search is the principal mechanism for achieving these objectives since it is the first step in identifying the parties that are potentially liable under CERCLA, and it allows USDA to collect information regarding an entity's involvement at a site, as well as information about releases and potential releases of hazardous substances at the site. Therefore, the performance of a PRP search is an essential component of all CERCLA actions.

Information gathered as part of the PRP search can be used as the basis for preparing CERCLA information requests, may be used as evidence in a future enforcement action against PRPs who refuse to cooperate in the cleanup of a site, or can be used by USDA to involve other PRPs where USDA is also a PRP. As a result, the PRP search must be both thorough and comprehensive in order to identify as many viable PRPs as possible, determine their current status, and develop a record of a party's activities and involvement at a site.

This guide is divided into three sections: background; basic strategies for conducting searches; and additional recommendations for contracting with private parties for the performance of PRP searches. The background section defines a PRP and discusses the CERCLA liability scheme and the purpose of conducting a PRP search. The section on PRP search strategies includes both a discussion of the tasks that typically comprise a PRP search and, where appropriate, a discussion of the resources and research aids that can be used in performing these tasks. In addition, much of the information that can be used as research tools or references during the performance of a PRP search, is included in the appendices of the guide. Finally, the guide contains a section on the performance of PRP searches by USDA contractors.

II. BACKGROUND

The identification of PRPs is an essential element in USDA's ability to respond to the release or threatened release of a hazardous substance in an efficient and cost effective manner. The primary objective of any PRP search is to obtain information from parties that are potentially liable, including information on their site activities and financial viability. Where USDA is the lead agency, this information can be used to persuade PRPs to perform and fund a response action or USDA can seek reimbursement for the costs that it has incurred in cleaning up a site. At sites where USDA is also a PRP, this information can be used by USDA to assist regulators in determining shares of costs for cleanup actions among the PRPs.

The information obtained from a PRP search will be used to assist USDA in determining whether the requisite elements of liability under Section 107(a) of CERCLA exist.¹

¹ The elements of CERCLA liability are

- *□ The site is a facility;
- *□ Releases or threatened releases of hazardous substances have occurred at the site;
- *□ The defendant falls within one of the four categories of parties that may be liable under CERCLA; and
- *□ For cost recovery, the plaintiff has incurred response costs as a result of the release.

Section 107(a) of CERCLA provides that the following four categories of persons may be liable for CERCLA response costs:

- * Current owners and operators² regardless of whether they contaminated the site;
- * Past owners and operators who owned or operated the facility at the time that hazardous substances were disposed;
- * Persons³ who arranged for either the treatment and/or disposal, or the transportation for treatment or disposal of hazardous substances at the facility; and
- * Persons who accepted hazardous substances for transport to disposal or treatment facilities that they selected.

All PRP searches are intended to develop this core level of information regarding a party's involvement and activities at a site, thereby assisting USDA and regulators in encouraging or compelling PRP participation in site cleanup and facilitating future cost recovery actions.

III. STRATEGIES FOR CONDUCTING PRP SEARCHES

A. Introduction

This section is intended to provide an overview of the strategies and tasks that should be performed as part of a PRP search. At the outset, it is important to recognize that the nature and conduct of any PRP search, and the resources that will be relied upon in conducting it, will vary based upon: the type of site at issue (e.g., an existing landfill with many PRPs, an abandoned mine site with one or two PRPs, etc.); the level and quality of information that is currently available about the site and the parties involved with it; the categories of PRPs present at the site; as well as additional site specific considerations.

² Section 101(21) of CERCLA defines an "owner or operator" as "(i) in the case of a vessel, any person owning, operating, or chartering by demise, such vessel, (ii) in the case of an onshore facility or an offshore facility, any person owning or operating such facility, and (iii) in the case of any facility, title or control of which was conveyed due to bankruptcy, foreclosure, tax delinquency, abandonment, or similar means to a unit of State or local government, any person who owned, or otherwise controlled activities at such facility immediately beforehand."

³ A person is defined in CERCLA Section 101(21) as "an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States government, State, municipality, commission, political subdivision of a State, or any interstate body."

PRP searches should be conducted as a collaborative effort between the USDA agency and OGC. Agency and OGC personnel will function as a team in planning, conducting and following up on PRP searches in order to ensure that searches are done in an efficient and cost effective manner. The team that conducts a PRP search will select the most appropriate strategies intended to produce the necessary information for the particular site. As a result, it is important that the researcher be both innovative and creative in performing PRP searches.

Because each PRP search is fact-specific, there is no single formula or format that can be universally applied to all searches, and rarely will it be necessary to complete all of the steps discussed in this section in order to perform an adequate or successful PRP search. However, it is essential that the researchers possess a clear understanding of the type of information that is required for performing a search, and the basic strategies and resources that can be used. In addition, it is important to recognize that there are a large number of resources and research tools for conducting PRP searches. While no search is likely to require the use of all of these resources, it is important for anyone involved in conducting searches to be aware of the available research options and to have some familiarity with how they may be used.

B. Search Planning

Prior to commencing a PRP search, a site-specific search plan or strategy should be developed for each search. A PRP search plan generally should summarize the activities to be conducted, identify the roles and responsibilities of the individuals performing the search, identify a time frame for completion of the search, and develop a system for managing the information that is collected.

Assistance in developing and implementing a search plan should be sought from OGC. In addition, in implementing a search, questions often arise over the level of research that should be conducted or the appropriate point at which the search efforts should be terminated. OGC's advice should be requested at such stages in the investigation.

The initial step is to identify the research activities to be performed during the search process, and to estimate the amount of time that each of the activities will require. This decision is based largely on the type of site involved and the level of information that is already known to be available or that can be easily accessed. For example, the level of effort necessary will be less in the case of a well documented site that has had only one or two owners or operators throughout its history. In contrast, the work will be significantly greater for a historic landfill site involving multiple parties (including generators, transporters, and owner/operators) for which there are poor records and only anecdotal evidence linking parties to the site. Preliminary identification of the research that will be needed also enables the researcher to evaluate available information, identify gaps in existing information, determine what additional information may be necessary and adapt the search effort to the circumstances of the case. This is an essential first step in that it will allow researchers to set research priorities among a

number of projects, and to tailor the research effort to the site and the level of information that is available.

The core PRP research activities include those identified under the Baseline Search section (see Section III(C)(1) below). Every PRP search should be based on the facts of the case, and should not be an attempt to force a case into a predetermined format. Therefore, determining the sequence in which the baseline search activities are performed will depend on site-specific information, including the level and type of information that is available.

Each of the baseline activities should not be viewed as a discrete phase of the PRP search process that is performed in isolation. Rather, it is essential that information obtained from each of the search phases is integrated with the other search phases in order to develop additional questions, formulate new areas of inquiry, or confirm information obtained from earlier searches. Depending upon the complexity of a site and the information that is available, additional specialized tasks may be performed to supplement the initial baseline search.

In planning for the PRP search, a system for filing and documenting work that has been performed should be developed. The information management system should be consistent with the format of the final PRP search report (see Appendix 1) and should be indexed and organized in a manner that allows information to be readily accessed. It also is imperative that enforcement materials, such as analyses of potential liability, be maintained in clearly marked confidential files to prevent unintentional releases in response to document or FOIA requests.

C. Search Strategies

PRP searches can typically be conducted in two phases: an initial baseline phase; and a follow-up search phase. The purpose of the baseline phase is to gather information regarding the site and the parties associated with it, including: identifying owners and operators of the site; establishing leads on possible generators; and laying the groundwork for establishing PRP liability and providing preliminary indications concerning financial viability. If necessary, the follow-up phase is intended to build upon the baseline search by conducting more in-depth research and performing additional specialized tasks as a means of supplementing information gathered during the baseline search.

1. Baseline Search

In performing a baseline PRP search the following search strategies should be performed:

- *□ Review, Collect and Compile Public Records (including, for example, records maintained by USDA and other federal agencies,

state and county agencies.

- * Evaluate Corporate PRPs (including, name and address updates, and determination of an entity's current status).
- * Perform a Title Search.
- * Research History of Site Operations and Review Historical Documents.
- * Interview Witnesses or Knowledgeable Individuals.
- * Prepare CERCLA Section 104(e) Requests.
- * Perform Preliminary Financial Evaluation of PRPs, as appropriate.
- * Prepare PRP Search Report.

As noted above, each of these tasks does not have to be performed in the order presented in the guide. While an initial review of public records and the performance of a title search are good starting points, many of the search tasks can be performed simultaneously. Moreover, the PRP search is an iterative process and any new information obtained from one search task should be used to supplement or refine other tasks.

An overview of each of these baseline strategies, and the resources that are available and that can be used for performing them, is provided below.

a. **Collect, Compile and Review Public Records Pertaining to the Site.**

An extensive amount of information pertaining to the operation, ownership and history of a site may be available from government and public records that are maintained by the USDA agency, other federal agencies, state agencies, county governments, and local municipal sources.⁴ The type of public information that should be the focus of a search will vary according to the nature of the site that is the subject of the investigation. For example, the sources of public records pertaining to municipal landfills will be different from the records sources for mining sites.

In particular, a preliminary review of the files maintained by USDA agency offices (at the local, regional and national levels) may identify obvious PRPs, such as long-term

⁴ A listing of state environmental agencies and state agencies involved with mining regulation is included in Appendix 9.

owners or operators that may be liable and financially capable of performing cleanup activities.

EPA records also may be available from regional program offices (e.g., CERCLA, RCRA, Air, Water and Regional Counsel offices) in the form of permits (including permits issued pursuant to the Resource Conservation and Recovery Act, the Clean Air Act or the Clean Water Act), site or facility inspection reports, correspondence, administrative complaints, and waste manifests.⁵ Corporate information also may be available from EPA for certain PRPs that have been involved at other CERCLA sites. The EPA Region in which the site is located should be contacted to determine whether EPA previously has been involved with the site or the PRPs that have been identified.⁶ If available, this information can be used to gain increased familiarity with a site and its PRPs, and may be useful in identifying other PRPs and additional contacts possessing useful information.

State agencies also may maintain information regarding a site, its past history, and general information concerning particular PRPs. As with EPA's regional offices, state environmental agencies may possess permits, inspection reports, correspondence, manifests and technical data regarding a site's operation.

Records maintained by county and municipal governments also may contain information pertinent to a PRP investigation. In particular, county health departments, public works departments, police and fire departments, tax assessors, and zoning and planning boards, all may maintain relevant information on a site and the operations that have been conducted there. The local chamber of commerce, county historical societies and local public libraries also may be sources of information concerning past and present site operations. As discussed below in Section III(C)(1)(d), back issues of local newspapers often contain a wealth of information on a facility's operations, its previous owners, the sale or purchase of property, and other information that may help in identifying PRPs.

b. Perform a Title Search

The term title refers to legal documentation of an entity's ownership rights in a property. Land ownership is generally considered to be similar to holding a bundle of rights that can be divided and shared among a number of parties. It is not unusual for

⁵ Addresses and phone numbers for EPA Regional offices and the various program divisions within those offices are provided in Appendix 11.

⁶ Some EPA information on PRPs may be obtained by conducting a document search on EPA's website at www.epa.gov. In addition, EPA's website also allows a search to be conducted that will identify all permitted facilities within a particular zip code.

a landowner not to own all of the rights in the bundle. As property changes hands, owners will retain some rights and grant others to third parties (e.g., access rights, mineral rights, timber rights, etc.). In addition, at certain points in time, parties may share certain rights. As an example, the landowner may lease land to a third party, thereby granting certain rights during the period of the leasehold.

Every state has a system for recording and making publicly available deeds and documents that affect title. Generally, these records are maintained at the local or county level of government. In theory, a researcher should be able to examine these records and trace the chain of title back in time and thereby obtain a record of ownership for the parcel of land as well as all encumbrances affecting it. A title company that performs a search will assemble its research into a title report or abstract of title.

A title report indicates the state of title for a property as well as any defects or clouds on the title. The title report is usually based on a review of the records of the county recorder, county clerk, various tax agencies, the federal and state court clerk, and any other state or local agencies that are involved with title matters. The report will provide a summary of all of the facts pertaining to the title on a particular property. In preparing the title report, an alphabetical list of all recorded documents should be prepared. In addition, a summary of the ownership history of the property can be compiled by the USDA agency or its contractor from the title report information.

A number of relevant documents may be obtained from a title search, including:

- * Legal property description
- * Warranty, Grant or Quitclaim Deeds
- * Mortgages or liens
- * Deeds of Trust
- * Easements
- * Covenants
- * Leases
- * Trustee's Deeds
- * Administrator's and Executor's Deeds
- * Financing Statements
- * Judgments, Liens and Lis Pendens
- * Real Estate Contracts
- * Subdivision Plats

A review of title documents can identify past and present owners of a site if private lands or other interests (e.g., mining interests, etc.) are involved. The search also will provide copies of title documents that can be used to link a PRP to the site, identify past uses of the site at different periods of time, and indicate individuals who might be knowledgeable regarding a site's operations.

For mine sites, a title search for unpatented mining claims also should be performed since unpatented mining claims are often maintained in county courthouses. Moreover, because unpatented mining claims are subject to taxation by county governments, information on such claims may be available at the local tax assessor's office. A search of unpatented mining claims and/or leases also should be performed at the local Bureau of Land Management (BLM) office which may identify other PRPs with connections to the site if their involvement is described in recorded documents. A discussion of mining title records is attached as Appendix 4.

Title matters can be extremely murky and title research can be quite complicated. While title searches can be performed internally if experienced staff is available, it is important to ensure that searches are conducted by qualified individuals or title companies that are familiar with the idiosyncracies of local recording systems.

A title search is generally considered to be finished when the ownership history of the site is complete.

c. Research Site History and Review Historical Documents

The research of historical records is an invaluable and essential tool for identifying PRPs at sites where operations have not occurred for a substantial period of time, recent records are nonexistent or unavailable, and witnesses are either deceased or cannot be located. Such a scenario often arises in the case of abandoned mine sites, but may also occur in other cases such as where a property has been used as a municipal landfill for a number of years, the USDA agency has acquired a property with previous title holders, or returned a property to the title holder after termination of a lease.

A title search (see Section III(C)(1)(c)) will generally provide useful historical information regarding past ownership and the activities performed at a site. In addition, articles in local newspapers (back issues of which are often retained by local, county or state university libraries) are an excellent resource for obtaining past information on site operations, commercial activities, purchases of property or mining claims, and past environmental issues. A review of these articles may provide additional evidence against PRPs that have been identified and may also lead to the identification of other PRPs. Several computer databases (including Westlaw and Lexis-Nexis) exist that contain back issues of newspaper articles. However, these databases are generally limited in their coverage and do not provide coverage beyond 5-10 years. As a result, there is often no alternative other than to review hard copies of old articles or view them on microfiche at local university libraries. This is particularly true in the case of historic mining sites.

With regard to mine sites, university libraries and state historical associations often maintain collections pertaining to state or regional mining activities. The reference librarian of the library should be contacted to determine the nature of a particular

library's historical holdings. Historical information on mining operations also is contained in the publications issued by the Bureau of Mines and the United States Geological Survey. These resources are described in greater detail in Appendix 5. Finally, many journal articles and books have been written over the years regarding particular mining operations or the history of mining in a region or state. While these are secondary sources of information, they may contain references to parties that conducted operations or reference primary sources of information on these activities. Many of these publications are no longer in print. As a result, the best method for determining whether such publications exist is to contact the reference librarian at a local university or area library.⁷

State archives⁸ and local or county historical societies also may be excellent sources of information regarding such materials.⁹

Aerial photographs can be useful in conducting a PRP search because they will show the uses of a site over time. A review of aerial photographs can document the development of a site and can be used to determine if commercial activities, landfills, and other on-site disposal areas were active during the tenure of a particular PRP. In addition, information on the size of the site, the topography, vegetation, and surface hydrology, the location of structures, surface impoundments, and disposal areas, and the time period when such structures were constructed and closed often can be determined from the photographs.

Historical aerial photographs can be obtained from several sources:

- * □ Forest Service, Natural Resources Conservation Service (NRCS), and the BLM;
- * □ Local commercial aerial surveyors or photographers;
- * □ State or county surveyor's offices;

⁷ The homepage for the Library of Congress provides access to the card catalogs of a number of university libraries in the United States. The URL for the Library of Congress is <http://lcweb.loc.gov/>, and the holdings of other libraries can be accessed under the Research Tools heading.

⁸ Addresses, phone numbers or websites for state archives are listed in Appendix 10.

⁹ A particularly useful source of information on mining history is the website for the Mining History Network (http://www.ex.ac.uk/public_html/SPECIAL.html). Additional sources are listed in Appendix 5.

- * □ State geology or mining departments;
- * □ U.S. Geological Survey
National Cartographic Survey
507 National Center
Reston, Virginia 22092
(703) 860-6045
- * □ U.S. EPA Environmental Monitoring Systems Laboratory
P.O. Box 15027
Las Vegas, Nevada 89114
(702) 798-2100
- * □ EROS Data Center
Sioux Falls, South Dakota 57198
(605) 594-6151

Additional sources of information include Sanborn insurance maps, local municipal records (building inspector, health inspector, fire department, planning board, chamber of commerce), and industrial or manufacturing directories, all of which may contain descriptions of past site activities.

d. Evaluate Corporate PRPs

The evaluation of corporate PRPs is the step that often becomes the primary focus of many PRP searches. In addition to corporations, PRPs also may be joint ventures, partnerships, trusts or a number of other legal entities. If in conducting a PRP search, any question arises as to the legal status of a particular entity, the issue should be brought to the attention of OGC.

Essentially, the evaluation of corporate PRPs involves determining whether a corporation still exists, identifying the successor to a corporation that has undergone mergers, name changes or other alterations in its corporate structure, and determining whether an entity continues to be financially viable.

Once it is determined that a PRP is a corporation, there are a number of steps that can be taken to determine basic information regarding a corporation's place of business, its state of incorporation, mailing address, registered agent's address, financial status and relationship (e.g., parent, subsidiary, etc.) to other corporations.

In evaluating corporate PRPs it is necessary to keep several fundamental points in mind. First, corporations are not static. Rather, they change form constantly as a result of mergers, acquisitions, corporate restructuring, and name changes. As a result, a company that conducted business in a state a number of years ago may bear little resemblance to the current corporate entity that is its legal successor. The only means

of determining the relationship between such entities is through research and by requiring PRPs to provide responses to CERCLA information requests.

Second, the amount of research that must be conducted in order to determine the legal successor to a historic corporation is often significantly greater than the amount of research that must be performed to find information on corporations that are currently or have recently been active at a site. In addition, the research tools that must be used for historical corporations are different than those that are used to obtain information on recently active companies.

Finally, although successors to many historic corporations can be identified, in other cases it is possible that there is no successor, and that for all intents and purposes, the corporation in question has ceased to exist. In cases where search results indicate that a corporation has dissolved or has had its corporate charter revoked or suspended, it is essential that OGC be consulted to assist in reaching a legal determination on the status and viability of the corporation.

(i) Publications and Databases

The initial starting point in obtaining corporate information, is to perform a name search by using any of a number of commercially available publications or computer databases. The purpose of a name search is to find basic information on a company, such as a corporate address, the name or address of a registered agent, and the state of incorporation. This last piece of information, the state of incorporation, is particularly important since it will enable a researcher to contact the Secretary of State's office of the state where a company is incorporated to determine the current status of the company, find a current or last known address, or request a review of the Secretary of State's archives or historical records relating to a particular company.

A large number of publications are available for determining general information on a corporation (address, state of incorporation, etc.) and its relationship (e.g., parent, subsidiary, affiliate, etc.) to other corporations. A partial listing of these publications is provided in Appendices 6, 7 and 8. Many, though by no means all, of these publications are readily available in college, university or local public libraries.

If the company in question does not appear in these publications, it is possible that the company has changed its name or undergone some change in its corporate structure. The company's name should be checked in one of the publications that lists corporate name changes (see Appendix 6) or that provides historical information on corporations.

A partial listing of the more useful commercial publications that contain historical information is provided in Appendix 5. This list includes publications that provide information on corporate name changes, acquisitions, and other historical changes that a particular company may have undergone.

It is important to recognize that none of these publications is comprehensive. For historical research, several of the most useful publications are the Capitol Changes Reports, the Directory of Obsolete Securities, the Financial Post Survey of Predecessor and Defunct Companies (for Canadian corporations), and the Robert D. Fisher Manual of Valuable and Worthless Securities.

As discussed below (see Section III(C)(1)(d)(ii), the best approach for determining the status and fate of corporations that were active a number of years ago is to contact the Secretary of State's office for the state in which the corporation was incorporated and request a report on the status of the company and a search of the state archives for information pertaining to the company's fate. Addresses and phone numbers for Secretary of State offices are included in Appendix 9.

For larger corporations (those with high annual revenue or a large number of employees) that are still in existence, the publications that are most useful for finding basic information are the reports and manuals issued by the larger private financial publishers such as Dun & Bradstreet, Standard & Poor and Moody. For smaller companies, a particularly useful set of publications containing basic corporate information is the state business directories published by American Business Directories, Inc. and American Business Information, Inc. (ABI). ABI publishes a separate state directory for all fifty states. Each directory lists the names and addresses of companies currently incorporated in or doing business in a particular state.

As discussed in Appendix 7, a number of computer databases also are available that will provide basic information regarding corporations. These databases tend to be more comprehensive and up to date than the hard copy publications listed in Appendices 5 and 6. Rather than being updated annually or biannually, many of these databases are updated on a monthly or a weekly basis.

Corporate information also is often available on the Internet or through several computer search services that compile corporate information from a large number of different sources and databases. See Appendix 2. A word or term search using these databases can prove very useful in assembling information on a PRP.

A word of caution is necessary, however. Merely because a corporate name does not appear in a commercial publication or a particular computer database does not mean that the entity does not exist or has been dissolved. No publication or database lists every corporation that exists or that has ever existed in the past. The absence of a company in a particular publication may only indicate that the entity in question does not meet the requirements (e.g., size or corporate earnings) necessary for inclusion in a particular publication, that the entity failed to provide adequate information to the publisher to allow it to be included in the publication, or that the publication decided not to include a particular entity.

The information that is uncovered as part of a basic corporate name search can then be

used to develop more detailed 104(e) information requests. Much of the specific information regarding corporate successorship and the relationships between corporations can only be obtained through a 104(e) request (see discussion Section III(C)(1)(f)). The information requested can include a description of corporate changes as well as any documents pertaining to corporate mergers, acquisitions, and the relationship between parent corporations and subsidiaries. Similarly, specific information regarding a PRP's finances (such as tax returns) and its ability to perform a cleanup can only be obtained by a 104(e) request.

(ii) **Secretary of State Records**

Once it is determined in what state a corporation has been or is incorporated, a significant amount of information can be obtained by contacting the office of the Secretary of State that maintains corporate records. The Secretary of State's office is perhaps the best overall source of information on the status and fate of corporations. The addresses and phone numbers of the Secretaries of State for all fifty states, as well as most of the Canadian provinces, is attached as Appendix 9.

All entities interested in obtaining corporate status must file articles of incorporations in the state in which they wish to be incorporated. The corporation is then considered to be a corporation of that particular state. In order to maintain that status, the corporation must comply with all applicable state requirements such as the filing of annual reports and the payment of corporate taxes and registration fees. Failure to do so may result in the suspension or revocation of the corporation's rights and privileges.

In addition to the state in which a corporation is incorporated, a corporation generally must also register with all states in which it conducts business. States use the term "foreign corporation" to refer to companies that are doing business in but are not incorporated or domiciled in their state. This is an extremely important point to keep in mind when conducting PRP searches since information on a corporation may appear in the records of more than one Secretary of State, and information on that corporation's activities may be available from several state files.

In order to determine the status or ultimate fate of a corporation, it is essential that the researcher determine the state in which the corporation is incorporated. Simply determining the status of a corporation in a state in which it was registered to do business, but was not incorporated in, is not conclusive of the corporation's current legal status. For example, a corporation may be incorporated in Delaware but registered to conduct business in Nevada, Montana and California. The corporation may fail to follow the necessary legal formalities for maintaining its registration in Nevada, Montana and California and have its corporate status revoked in all of those states. However, it may continue to exist as a viable entity in Delaware, its original and legal state of incorporation. Moreover, while Nevada, California and Montana may possess useful information on a corporation's activities, they will not necessarily possess the most up to date information on a corporation's history or fate. Therefore, it is imperative that a PRP

search determine a corporation's actual state of incorporation and that the appropriate Secretary of State's office then be contacted regarding the status of the corporation in question.

In general, Secretary of State records will include such basic information as the corporate address, names of corporate officers, names and addresses of registered agents, and the status of the corporation, as well as information on corporate mergers, acquisitions and name changes. Copies of corporate filings also should be available. However, there is wide variation among Secretary of State offices in terms of the information that is available, the procedures for requesting it, and the quality of the information that is provided. Some states will answer questions on corporate status over the phone for no charge while others require that requests be made in writing and will assess a nominal fee (\$5.00 - \$15.00) for performing each search.

There is a great deal of variation among states in the amount of information that a Secretary of State's office maintains or that it will be able to access immediately. For example, some states maintain records on all corporations that have had an office or conducted business in their state regardless of whether the corporation was incorporated there. Other states only maintain records pertaining to their own corporations. In addition, current information and corporate records dating back five to ten years are generally readily available in all states. While some states have computerized many of their old corporate records, a request for information regarding a corporation or corporate activities that occurred over twenty years ago typically will require a search of the state's corporate archives. Depending upon the state, and the condition of their record keeping system, this process can be time consuming. However, in many instances, this may be the only reliable resource available for obtaining information on a particular corporation.

(iii) Court Records/Bankruptcy Records

A review of court records or legal decisions involving a PRP also may provide useful information on the identity, corporate affiliations and environmental compliance records and litigation history of a PRP. Much of this information can be accessed by conducting a basic database search on Lexis-Nexis or Westlaw. Specific documents filed with a court will have to be obtained by reviewing a docket sheet for a particular case and ordering the documents from the clerk of court.

Court records and documents can be particularly useful in instances where a PRP has filed for bankruptcy, and it becomes necessary to determine the effect of the bankruptcy process on the PRP or its assets. In the event that a PRP that has undergone bankruptcy is identified at a site, OGC should be contacted to assist in determining the effect of the bankruptcy and whether the PRP should be pursued.

e. Interview Witnesses or Knowledgeable Individuals

Interviews are an integral part of conducting a PRP search at sites where little information exists about the site or where written records are few or nonexistent. In cases where documents do not exist, interviews often will provide the sole source of information on a site and the involvement of PRPs. Where documents exist, interviews also may provide valuable insights into information presented in the documents, how the documents were prepared, and may lead to additional sources of information on the site.

Prior to conducting interviews, the interviewer should consult with OGC regarding the proposed list of interviewees and the questions to be asked. The interviewer also should review available background documents on the site and prepare a list of site-specific questions. Questions will have to be modified for different interviewees according to their association with the site. In addition, in determining the manner in which the interview is conducted, e.g., who will conduct the interview, where the interview is conducted, who else should be present during the interview, what language should be used, special consideration should be given to the cultural sensitivities and social customs of the interviewee.

Several categories of possible interviewees exist. These include government officials, former site workers, site managers or operators, neighbors, transporters, and retired USDA agency employees.

Interviews can be used for the following purposes:

- * determination of the availability of any relevant documents;
- * verification of the background of available documents - determine who prepared relevant documents, why they were prepared and when they were prepared;
- * verification of the accuracy of other information such as the statements of other interviewees;
- * identification of activities conducted at the site before, during and after the site's use for waste disposal;
- * site owner and operator history;
- * identification of PRPs associated with the site;
- * government officials can be asked about the status of administrative or legal actions (e.g., lawsuits, permit violations, cleanup orders, etc.) involving the site or relevant state or local regulatory requirements (e.g., licenses, landfill permits, business licenses, building permits, zoning approvals, etc.); and
- * identification of leads to other information - such as identification of other potentially knowledgeable people, including former employees, neighbors, or government officials or the location of records pertaining to the site.

Written summaries of interviews should be prepared as soon as possible after the interview. For all summaries, the name, title and identifying information of the interviewee (e.g., date of birth, connection to the site, etc.) should be included, as should the name of the interviewer, the date, time and address of the interview, and the names of all others present at the interview.

f. Use of 104(e) Requests

The use of information request letters under Section 104(e) of CERCLA is an invaluable tool for gathering information regarding a site and for obtaining documents and records that are in the possession of PRPs.¹⁰

At sites where the USDA agency is the lead agency as defined in CERCLA, following the initial identification of PRPs through the review of public records, interviews and title searches, 104(e) requests should be prepared and distributed to each of the PRPs identified. Due to the legal nature of CERCLA information requests, their preparation should be a cooperative effort between the USDA agency and OGC, with OGC being closely involved in the drafting and review of the 104(e) requests. At sites where the USDA agency is a PRP and has identified other PRPs, the agency should share the identity of and data gathered concerning the other PRPs with the regulatory agency responsible for site cleanup.

The information that is sought as part of a 104(e) request should be tailored to the factual circumstances of the case and the suspected involvement of the PRP at the site (i.e., whether the PRP is believed to be a generator, owner, operator, transporter etc.).

In general, information sought pursuant to a 104(e) request can include:

- * information on ownership (including names and addresses, periods of ownership);
- * site history during ownership, including conditions, operations, disposal of waste, and information on quantities, and composition of waste, and location of waste disposal areas;
- * insurance information;
- * information on corporate successorship and affiliations;
- * information regarding other PRPs;

¹⁰ Section 104(e)(2) of CERCLA authorizes USDA to require any person who has or may have information relevant to hazardous substances generated, stored, treated, or disposed of at the site or the ability of a PRP to pay for or perform a cleanup. Thus, a 104(e) information request may be sent to a person who is not a PRP, but who may have such information. In practices, however, most 104(e) requests are sent to PRPs. For purposes of simplicity, this guide only discusses sending 104(e) requests to PRPs.

- * materials used at the site and waste management practices;
- * data or studies from environmental investigations;
- * relevant documents (e.g., copies of business records relating to activities at the site, such as customer lists, gate logs, ledgers, invoices, and accounts receivable);
- * names and addresses of individuals with information regarding the site; and
- * financial information, when appropriate.¹¹

In drafting 104(e) requests it is useful to first possess some basic understanding of a PRP's connection to a site and its relationship to other PRPs. This will enable the 104(e) questions to be tailored to focus on areas for which information is lacking or seek clarification on additional outstanding issues. Conversely, for sites at which little information is available, the 104(e) request is useful in gathering basic information that can be used as a basis for conducting additional information requests or identifying other PRPs.

In drafting a 104(e) request, a number of factors should be considered:

- * the site must be clearly identified and a specific description of its geographic location provided;
- * the request should be sent "Certified Mail/Return Receipt Requested";
- * the request should contain a general statement describing its purpose and the relationship of the request to the USDA agency investigation;
- * the PRP must be informed of their responsibility for identifying information contained in their response that is confidential and subject to protection under section 104(e) of CERCLA and other applicable law (e.g., the Freedom of Information Act, Privacy Act, or Trade Secrets Act);
- * the PRP should be informed of their obligation to update their responses based on new information;
- * the PRP must execute an affidavit (signed by a corporate officer if the PRP is a corporation) attesting to the accuracy of the

¹¹ As a general rule, requests for financial information should not be included in the initial request letter. A request for financial information is normally only appropriate once the potential liability of a party has been established. A PRP should be asked that if the PRP believes he, she, or it has an inability to pay its share of the cleanup costs, the PRP should contact the agency. The agency should then send appropriate financial questions to the PRP for purposes of making the ability to pay determination. Financial information necessary to determine a PRP's financial ability to perform cleanup work may also be requested, when appropriate.

- * □ information contained in the response; and the information request letter must require a written response and contain a definite due date. In general, 30-45 days from the date of receipt is an adequate time for responding to a request.

In order to facilitate preparation of information requests and to ensure consistency, assistance in developing and reviewing questions should be requested from OGC. OGC should also review all 104(e) information requests prior to the time that they are sent to PRPs.

Once responses to the 104(e) requests have been received, the information must be reviewed and relevant information incorporated into the baseline PRP report. OGC should be consulted in assisting in the review of 104(e) responses. Responses to information requests should be organized alphabetically, and included in an appendix to the baseline report. Responses that are inadequate or deficient should be the subject of a supplemental request for information. In the case of PRPs that refuse to respond or persist in providing inadequate or incomplete responses, additional follow-up will be necessary and OGC should be informed of the situation.

Several samples of 104(e) requests that can be tailored to site specific needs are attached as Appendix 14. In addition, the following EPA documents provide useful information on the preparation of 104(e) requests:

OSWER Directive 9834.4A, "Final Guidance on Use and Enforcement of CERCLA Information Requests and Administrative Subpoenas" (August 1988).

OSWER Directive 9834.10, "Interim Guidance on Notice Letters, Negotiations, and Information Exchange" (October 1987).

OSWER Directive 9834.10A, "Model Notice Letters" (February 7, 1989).

EPA, OECA Memorandum, Transmittal of Sample Documents for More Effective Communication in CERCLA Section 104(e)(2) Information Requests (June 30, 1995).

Each of these documents is available upon request from OGC and are available on the EPA website at: www.epa.gov.

g. Preparation of a Waste-In List

The collection and analysis of information on the amount and composition of waste that has been sent to a site is a task that is usually associated with municipal or private landfills. Information on PRP waste contribution is referred to as "waste-in information." Waste-in information can be obtained from waste manifests, waste tickets, logbooks,

billing records, and canceled checks. This information may be available from government offices or PRP files, and may be provided as part of PRP responses to 104(e) requests. However, it is important to recognize that waste-in information for a site may be incomplete or, in some cases, unavailable.

When waste-in information is available, it should be organized in a transactional database consisting of a waste-in list and volumetric rankings for the PRPs. A waste-in list provides the volume and nature of substances contributed by each PRP identified at a site. A volumetric ranking is a ranking by volume of the hazardous substances disposed of by a PRP.

Guidance on the preparation of waste-in lists and volumetric rankings have been developed by EPA as part of OSWER Directive 98315.16, Guidance on Preparing and Releasing Waste-In Lists and Volumetric Rankings for Release to Potentially Responsible Parties (PRPs) Under CERCLA, February 22, 1991.

h. Preparation of a PRP Search Report

Based upon the results of the baseline PRP search, a baseline PRP search report can be prepared that discusses the basic facts regarding a PRP's connection to a site. The baseline report is intended to provide a concise summary of information obtained from the initial baseline searches. Additional supporting information can be provided in supplemental appendices.

The baseline report should be reviewed to ensure that all possible PRPs have been identified and that the information documenting a PRP's liability and financial viability is complete. The report should contain a comprehensive written summary discussing research performed, results of the research and recommendations for additional research. Information contained in the report must be attributed to a specific source, and the report must be treated as enforcement confidential and provided only to USDA personnel. The cover of the report must be marked as having been prepared in anticipation of litigation.

The baseline report can be revised and updated based upon the findings of any supplemental PRP search tasks. The baseline report should follow the format described in Appendix 1.

2. Follow-Up Work for Baseline Searches

The baseline report should be reviewed to determine whether the search activity has produced the information necessary for identifying all PRPs, their contributions to the site, their liability, and financial viability. Any suggested changes to the report or appropriate follow up activities identified during the review process can then be implemented.

a. **Determining the Financial Viability of PRPs**

Financial information on PRPs can be obtained from a number of sources, including commercial credit reports, the records of the Securities and Exchange Commission (SEC), state agencies, and local tax records.

(i). **Commercial Financial Services**

A useful starting point for corporate PRPs in determining whether an entity is financially viable is to obtain a commercial business report on the company's financial condition. Such reports are available for a fee from companies that provide corporate financial information, including Dun & Bradstreet, Standard and Poor, and Moody. A description of these and other services is attached as Appendix 3. These reports are used by lenders and corporations for purposes of extending credit, and contain financial information, payment histories, a description of indebtedness, as well as information concerning corporate officers.

It is important to remember that the information contained in a commercial report has often been obtained through a phone call to the company that is the subject of the report. Such information is easily manipulated and rarely verified, and therefore its accuracy must be viewed with a healthy level of skepticism. The more reliable method of obtaining corporate financial information is to request this information directly from a PRP as part of an information request, or in the case of certain companies, to request it from the Securities and Exchange Commission.

For individuals, there are restrictions imposed by the Fair Credit Reporting Act on the availability of financial or credit history information. **Therefore, credit reports must not be performed on individuals without first obtaining their written consent. Similarly, the USDA agency should not seek individual credit information by contracting with third-party credit reporting agencies that may obtain their information without obtaining an individual s consent.** At sites where the USDA agency is the lead agency as defined in CERCLA, the appropriate method for obtaining credit information is to use 104(e) information requests for tax return and asset information. As a general rule, such requests for financial information should not be included in the initial request letter.

(ii). **Securities and Exchange Commission Records**

For publicly traded corporations perhaps the best sources of financial information are the reporting forms that must be filed with the Securities and Exchange Commission (SEC). The SEC collects filings from publicly traded companies selling stock in more than one state and that have more than \$5 million in assets and more than 500 shareholders.

The SEC requires that a large number of documents and forms be filed with it, and

many of these forms contain extremely useful financial information, as well as general corporate information. Some of the more important documents include:

Registration Statements and Prospectuses - These must be filed before a company is authorized to sell stock.

Regular Corporate Filings - These include 10-Ks (annual reports) and 10-Qs (quarterly reports).

Shareholder Communications - Included in this category are 8-Ks (forms that must be followed prior to an event that may affect the value of the stock) and proxy statements.¹²

Registration statements are extremely in depth filings and contain detailed financial statements, as well as additional information on the filing entity's corporate relationships and activities.

The 10-K contains selected financial data as well as copies of financial statements. The Selected Financial Data section of the 10-K will contain information on net sales, income or losses from operations, total assets, long-term obligations, and operating revenue. The Financial Statements and Supplementary Data section of the 10K contains audited balance sheets and audited income statements.

The 10-Q is required to include an income statement, balance sheet, earnings and dividends per share, any defaults or nonpayment of dividends, sources and applications of funds, a narrative of company operations in the last quarter, and a discussion on non-routine legal proceedings.

SEC filings may be obtained directly from the SEC. Filings submitted to the SEC prior to 1994 will be provided to requesters on microfiche and will be mailed to other government agencies free of charge. Documents also may be reviewed in person at the SEC's public reading rooms in Washington, Chicago or New York.

Since 1994, the SEC has been making filings available electronically, and the SEC now maintains a database on its Internet site known as the Electronic Data Gathering Analysis and Retrieval (EDGAR) system (www.sec.gov/edgar.shtml). EDGAR enables researchers to access documents filed with the SEC since 1994. In addition, there is a commercial service that provides access to EDGAR data for its subscribers (www.edgar-online.com).

¹² The SEC publishes a pamphlet entitled, Guide to Filings Made with the U.S. Securities and Exchange Commission describing the nature and content of filings that must be made with the SEC. This pamphlet is available from OGC.

For companies that are not subject to SEC regulations, additional sources of information are available. For example, a company's annual report to its stockholders often contains a great deal of useful financial information. The Public Register's Annual Report Service maintains an Internet site (www.prars.com) that provides copies of annual reports for many publicly traded companies that are not subject to SEC requirements.

(iii). State Equivalents of the SEC

State equivalents of the SEC also may possess useful information. If a company only sells stock within one state it will not have to file with the SEC, but it may have to file with the relevant state securities agency. Some type of annual corporate report is required by all states except New York, North Carolina, Pennsylvania and South Carolina. However, the level of financial information required by each state varies tremendously. As a result, it is best to contact the appropriate Secretary of State office to inquire about filing requirements and state agency that is responsible for reviewing these submissions. Because all of this information is public, there should be no problem with the state providing it as part of a PRP search. The addresses and phone numbers of state security commissions are listed in Appendix 9.

(iv). Real Property and Asset Records

In addition to public filings, information on the assets of an entity or an individual can be obtained by reviewing local real estate records and local tax records. Because buildings and real property are fixed assets it is relatively easy to obtain information on them. While this information is obviously not as comprehensive as that which is available from SEC filings, commercial publications or state records, it does provide some indication of the value of an entity's assets.

Real estate deeds are generally kept in the county clerk's office or in the office of the register of deeds. Deeds are indexed by grantor and grantee and allow the researcher to determine the name of a buyer and seller as well as the purchase price of the property.

Local, and sometimes state, property taxes also must be paid on buildings and land. Because all of this information is publicly available, the office of the local tax assessor should be able to provide information on the assessed value of the property and the taxes that have been paid. When reviewing local real property tax records, it is essential to remember that assessed value is different from market value, and to determine the ratio that the particular jurisdiction uses in order to convert the assessed value to a market value.

A particularly quick and effective means of finding real property information is to run a search using one of the computer databases such as Lexis-Nexis or CDB Infotek. Neither of these databases contains property information for all states or every

jurisdiction within covered states, but they will provide a good indication of the real property holdings of entities in certain states.

(v). Tax Returns

At sites where the USDA agency is the lead agency as defined in CERCLA, to obtain more detailed information on an entity's financial status, it may be necessary to request tax returns as part of a follow-up 104(e) request. As a general rule, requests for financial information should not be included in the initial request letter. A request for financial information is normally only appropriate once the potential liability of a party has been established. A PRP should be asked that if the PRP believes she, he, or it has an inability to pay its share of the cleanup costs, the PRP should contact the agency. If a PRP asserts an inability to pay, then the agency should send appropriate financial questions, including any request for tax returns, to the PRP for purposes of making the ability to pay determination. Financial information necessary to determine a PRP's financial ability to perform cleanup work may also be requested, when appropriate.

It is very important to obtain enough information to effectively analyze a PRP's ability to pay, and it generally is necessary to obtain at least three years of federal income tax returns and associated tax schedules. Income tax returns are the easiest financial information to analyze, and the information contained in them can be readily used in a number of computer models.

Requests to PRPs for financial information, including tax returns, is authorized by CERCLA section 104(e) for the sole purpose of determining a PRP's ability to pay for or perform the response action. Confidential commercial or personal financial information may be exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552. Such confidential commercial and financial information may also be protected from disclosure under the Trade Secrets Act, 18 U.S.C. § 1905, and the Privacy Act, 5 U.S.C. § 552a.

As described below, the tax return forms that are required will vary according to the type of PRP involved.

- * Regular Corporation (Subchapter C Corporation): Form 1120 or Form 1120A and supporting schedules.
- * Subchapter S Corporation: Form 1120S and supporting schedules.
- * Partnerships - Form 1065 and supporting schedules (schedules should include a Schedule K-1 for each partner).
- * Sole Proprietorships - Form 1040 and supporting schedules.
- * Individuals - Form 1040 and supporting schedules.

Individuals and businesses also can be asked to complete financial disclosure forms

and to certify to their accuracy. Samples of disclosure forms used by EPA are attached as Appendix 12.

The financial information that must be obtained from municipalities and non-profit entities (e.g., some hospitals, private colleges and universities) is somewhat different than what is needed for corporations, partnerships and individuals. Financial information requested from municipalities and non-profits should include: (1) Combined Balance Sheet - indicating an entity's financial situation at a given point in time; (2) Statement of Revenues, Expenditures and Changes in Fund Balance - indicating how revenue is obtained and used during a fiscal year; and (3) Annual Budget - outlining planned revenues and expenditures during a current or future fiscal year. Information on the ability of a municipality to finance a cleanup can also be obtained from an analysis of the municipality's resource base, including information on per capita income, unemployment, and median home value.

Often PRPs will be reluctant to provide tax returns. In order to evaluate a party's financial situation it is important to insist that this information be provided. If an entity is unable to provide a signed copy of a tax return, or if it seems necessary to verify tax information (for instance if there is a suspicion that the entity has provided falsified tax records), the entity should be asked to complete IRS Form 8821 which authorizes the IRS to release tax-related information to third parties. See Appendix 13 which provides samples of Form 8821 for use with individuals, corporations, and partnerships. It is generally advisable that all individuals or corporate entities be asked to complete Form 8821 as soon as inability to pay issues are raised by them.

In addition to income tax data, it may be necessary to obtain additional financial information from a PRP that claims an inability to pay. This information can include the following:

- * Balance Sheets (audited by a CPA) - financial statements listing the assets, liabilities and equity of a business at a specific point in time.
- * Income Statements - reports the results of business activities over a period of time (usually a fiscal year) and shows revenues and expenses.
- * Statement of Change in Financial Position/Statement of Cash Flow (audited by a CPA) - reports all of the changes that have occurred in the balance sheet during the fiscal period in terms of their effect on cash.
- * Statements of Operations - Describes the results of company operations.
- * Retained Earnings Statements - Indicates the dollar amounts of assets derived from company earnings that have not been distributed as dividends.
- * Loan Applications/Financing or Security Agreements.
- * Annual Reports - Reports issued by a company and provided to shareholders, creditors, financial analysts, suppliers and customers. Annual reports often include financial statements, corporate highlights, letters to shareholders from management, and a review of operations.

Annual Reports contain information on marketing plans and forecasts of future conditions and corporate strategies, as well as financial statements and two or three years of prior information.

* □ Growth/Expansion Forecasts and/or Capital Improvement Plans.

Both balance sheets and income statements should be audited by an independent auditor. Independent auditors are accountants who will follow procedures required by the Generally Accepted Accounting Principles (GAAP) or the Generally Accepted Auditing Standards (GAAS). Audited documents are verifiable and tend to be consistent in the manner in which information is presented. In contrast, unaudited statements are not verifiable, and often only reflect the information that a corporation's management wants to be made available.

(vi). Analyzing Financial Information

Once sufficient financial information has been obtained from a PRP, it will be necessary to review and analyze it to determine whether a PRP is capable of financing or contributing to the cleanup of a site. EPA has developed several worksheets and computer models for analyzing a PRP's ability to pay.

EPA's basic financial ability computer model is the Superfund ABEL model which provides a preliminary analysis of corporate ability to pay cleanup costs based upon internal cash flows. A "Beyond ABEL" analysis also can be performed to look at other potential sources of funding such as sale of unnecessary assets, repayment of loans, and elimination of unnecessary expenses. EPA has prepared a videotape training manual on the use of ABEL and has recently made available two other computer models for determining the ability of individuals (the INDIPAY model) and municipalities (the MUNIPAY model) to finance cleanups. In addition, EPA has developed several guidance documents to assist users in applying these models:

Guidance on Determining a Violator's Ability to Pay a Civil Penalty (December 1986).

ABEL 1998 User's Manual (May 1998).

Guidance for Calculating Municipal and Not-for-Profit Organizations' Ability to Pay Civil Penalties Using Current Fund Balances (March 1993).

Munipay Training Materials (September 1997).

Munipay User's Manual (May 1998).

Indipay Training Materials (July 1997).

Individual Ability to Pay Model User's Manual (July 1997).

Copies of the EPA computer models and the instructional manuals listed above are available from OGC.

IV. RECOMMENDATIONS FOR CONTRACTING FOR PRP SEARCHES

In many cases, the USDA agency will use the services of outside contractors to perform PRP searches. The role of the outside contractor and the scope and nature of the searches performed by them will vary according to the size and complexity of the site and the level of information that is available regarding the site, its past uses and the number of PRPs involved.

As with all PRP searches, OGC and the USDA agency should work together as a team in planning the search and in preparing the contract under which the outside contractor will conduct the necessary work.

In contracting for a PRP search, it is essential that the USDA agency personnel effectively communicate all available information regarding the history and background of the site, the types of PRPs potentially involved, research areas on which the contractor should concentrate, and the time frame for completion of the search. It is equally important that agency personnel actively manage and oversee the procedures used by the contractor in conducting a PRP search, in order to ensure that a quality product is produced in a timely and cost-effective fashion.

In developing contract requirements for the performance of PRP searches by outside contractors, it is essential that the contract clearly set forth the following information: the scope and purpose of the assignment; the specific tasks that the contractor will be required to perform; the time frame and schedule for performing and completing the work; and a detailed description of the form and content of the work product that will be provided to the agency upon completion of the assignment. It also is important that the contractor be informed that it must treat as confidential information gathered as part of the PRP search process as well as communications with the agency.

Each of the elements of the PRP search process is discussed in greater detail below.

A. Scope and Purpose of the Assignment

This sets forth the objectives of the PRP search including a brief discussion of the site and its history.

B. Work to be Performed

The contract should state with specificity the tasks that are to be performed as part of the PRP search. These tasks will vary on a case by case basis according to the level of information that is available on PRP involvement. Search tasks may include performance of the following assignments and related tasks.

- 1) Perform Title Searches - The contractor could be instructed to perform the following:
 - a) Obtain specific title documents or parcel maps.
 - b) Conduct title searches for a specific site and obtain all documents for specific periods of time that indicate current and/or past owners, lessors, and lessees.
 - c) Review and analyze all title documents in order to determine the ownership and condition of title for a certain period of time. This may involve preparation of a diagram or narrative description of all title transfers.
 - d) Provide copies of title documents and a memorandum discussing conclusions of the title analysis.

- 2) Conduct Interviews - The contractor can be instructed to interview designated individuals regarding a site's history or its operations. Prior to conducting interviews, OGC should review the list of potential interviewees. The contractor should prepare an outline of proposed questions that can be reviewed and approved by the USDA agency prior to conducting the interviews.

After conducting the interviews, the contractor should summarize the interview and provide: the date, time and place of the interview; the name, address, phone number, and relationship to the site of the person interviewed; the name of the interviewer; and a summary of the information obtained during the interview.

- 3) Collect Documents - The contractor should obtain documents requested by the agency from public agencies or other sources. The agency should compile a list of documents to be obtained and the sources that should be contacted.

The contractor should provide a single copy of the documents that are requested. In addition, the contractor should provide an index to all documents that are provided.

- 4) Determine Corporate Status - By using public information sources, on-line data services and reviewing documents obtained pursuant to 104(e) requests, the contractor can address, and possibly resolve, issues regarding a company's ownership, relationship to other entities, and corporate history. This should include determination of the current or most recent state of incorporation.

As a necessary part of this task, the contractor should prepare a written submission that summarizes this information and any conclusions that can be drawn regarding corporate successorship.

- 5) Evaluate Financial Viability - The contractor should prepare a financial viability analysis using EPA's financial viability software to determine an entity's ability to satisfy its CERCLA liabilities. This information can be submitted to the agency in written form.
- 6) Determine Current Status of PRPs - The contractor should determine or verify the current name and address of PRPs, as well as identify responsible officials for corporations or partnerships. This task can normally be accomplished through the use of on-line data retrieval services or publicly available documents.

All of this information can be provided to the agency in the form of an updated list that provides current information, printouts of any information obtained from data bases and any other documents relied upon by the contractor.

- 7) Prepare a PRP Report - The contractor should review all available information and develop a report that contains a chronological presentation of known facts (all of which should be properly referenced) regarding a site. In addition, the report should include a discussion of each PRP and the evidence connecting it to the site. The following information should be contained in the report:

- * Overall summary of the facility - including a brief history of the operations, owners and operators.
- * Corporate status and business information.
- * Property ownership - history of title.
- * Evidence of releases.
- * Relationship of PRPs to other PRPs (i.e., contractual, parent/subsidiary, affiliate, etc).
- * Analysis of financial viability, as appropriate.

The work product should be in the form of a report or a memorandum (see Appendix 1 for a copy of a sample format). All portions of the document that present evidence of liability should be marked as "Enforcement Confidential - Prepared in Anticipation of Litigation."

C. Time Frame for Completion of Work

The contractor should be requested to prepare a work plan for performing the PRP search and to submit the work plan to the agency for approval.

The work plan should contain a description of the methods and procedures that will be used to conduct the PRP search and accomplish each of the specific tasks requested.

Monthly or bimonthly status reports on a PRP search also should be provided by the contractor in order to provide a sense of the contractor's progress and to update the agency on any developments in the PRP search.

The status report should summarize:

- * Activities conducted during that month.
- * Costs incurred by task per month.
- * Total monthly costs and total work assignment cost incurred.
- * Projected future costs necessary for completion of the project.

In addition to the monthly status reports, the contractor should communicate with the agency on a regular basis regarding the progress of the search, any difficulties encountered, and any issues or suggestions that arise during the course of the investigation.

D. Cost of Performing the Work

Prior to entering into the contract, the contractor should be requested to provide a written cost estimate, as well as an estimate of the amount of time that will be required, for the performance of each task. The cost estimate should include the following information:

- * A description of the tasks that are to be performed, including a description of the time required and the anticipated cost of performing each task.
- * Identification of the personnel and the anticipated amount of time that each individual will spend on completing each task.
- * An estimate of travel expenses that will be necessary for the completion of each task.

E. Organize and Summarize 104(e) Responses - The contractor's tasks could include the organization and review of PRP 104(e) responses. As part of this task, the contractor should provide a memorandum summarizing the following information:

- * History and use of a site.
- * Evidence of a release of hazardous substances.
- * Identification of chemicals used, waste streams generated or

- materials disposed of at a site.
- * □ Corporate history and corporate relationships of PRPs.
- * □ Apparent financial viability of PRPs, as appropriate.

A sample statement of work for the performance of a PRP search that incorporates most of the elements discussed above is attached as Appendix 10.

APPENDIX 1

PRP SEARCH REPORT FORMAT

- I. Introduction
 - A. Scope of Work
 - B. Site Background Brief discussion of background information on the site (location, physical features, and reasons for investigation), and a short (executive summary) site history, including the nature of activities conducted during the period that is the subject of the investigation
 - C. Research Approach General overview of steps taken in performing PRP search. Summary of all work conducted during the PRP search and documentation of all investigatory steps taken during the search
- II. History of the Sites
 - A. Results of Title Search
 - B. Operational and Regulatory History
 - C. Discussion of Waste streams Generated or Disposal of the Site. Documented Releases/Disposal of Hazardous Waste
- III. Identification of PRPs/Evidence Summary (for each PRP identified)

This would include Corporate Status/Business Information, connection to the Site, evidence of release or disposal, relationship to other PRPs, and Corporate successorship issues
- IV. Conclusions/Recommendations
 - A. Summary Statement
 - B. Recommendations
- V. Appendix to Search Report
 - A. Supporting Documentation
 - 1. Title search
 - 2. Copies of historical records

3. Manifests, contracts, and invoices
4. Any qualitative waste information developed for each PRP.
5. Corporation, business information, e.g., Secretary of State Records, SEC filings, Hoover's Profiles, etc.

APPENDIX 2

ONLINE RESOURCES FOR PRP SEARCHES

A wealth of information that can be used in conducting PRP searches is available on the Internet or from several commercially available computer databases. The number of vendors who are in the business of gathering publicly available information and making it available to on-line subscribers continues to increase every year. For example, it is currently possible to access state and county real property records for approximately 35 states. The information that is available ranges from newspapers, magazines and journal articles to motor vehicle records and corporate information such as secretary of state records and filings.

It is important to recognize at the outset that no on-line database is entirely comprehensive. Instead, there is a great deal of variation among the databases as to what records are available and their scope of coverage. In addition, certain types of state records are not readily available and are not included in available on-line databases. For example, information on corporate filings made with the Secretary of State of Delaware is not available from commercial vendors. Therefore, before using a particular database, it is important to determine whether the database contains the information that is being sought.

An overview of some of the more widely used databases is provided below:

1. DIALOG Information Retrieval Services -

DIALOG is an information retrieval system that provides access to over 600 databases, including databases that provide information on international and national corporations, corporate merger and acquisition histories, and financial data. Information on corporations includes financial profiles and background information on more than 12 million United States and one million foreign-based corporations.

Connection to DIALOG is available via the Internet. Subscribers must pay an initial start up fee and are charged for connect time, database access and citations printed. Connect and print charges vary according to the database that is being accessed.

Access to DIALOG is available through the USDA's National Agricultural Library.

2. LEXIS-NEXIS -

LEXIS-NEXIS is a full-text database service that provides access to federal and state case law, public records such as corporate filings, general corporate information, property records and liens, a directory of more than 111 million people nationwide, professional publications, and news articles.

While LEXIS-NEXIS provides a number of useful databases, four of the most useful libraries are described below:

- a. Finder Library - Allows to search public records for the current and past addresses of individuals.
- b. Corporate Library - This includes Secretary of State records that pertain to the history and current status corporations and registered partnerships. This library covers 43 states. The ALLBIZ file and the individual state files are especially useful.
- c. Assets Library - This library includes property information obtained from applicable county assessor and state records. The library covers 37 states, although not all counties within those states are on-line and available through this system. The county assessor records for real estate are particularly useful and include the name of the property owner, a legal description of the property, deed transfer records, and assessed land value.
- d. Lien Library - This contains abstracts of UCC filings for all 50 states and the District of Columbia, as well as filings of judgments and federal and state tax liens.

Access to Lexis-Nexis is available through the OGC Law Library.

3. Prentice Hall Legal and Financial Services -

Prentice Hall Online provides historical and current public records information on individuals and businesses in 28 states. Available information includes uniform commercial code filings; financial statements and information on limited partnerships and corporations; federal and state tax liens; bankruptcies and judgments; notices of default; and corporate records (incorporation dates, office location, registered agent, and identify officers and directors).

Information is available from Prentice Hall Legal & Financial Services (1-202-408-3120).

4. Information America -

Information America offers access to numerous databases that provide a wide range of business, personal and financial information. It is user friendly and includes a number of relevant databases. Examples of information available include: credit reports; telephone records; motor vehicle records; real estate records, including transfers, deeds and assets; incorporation and limited partnership filings; bankruptcy filings; SEC filings; and UCC liens and judgments. The most relevant of the Information America databases are identified below:

Corporate and Limited Partnership Records - Provides the name of record for a company, its date of incorporation, address, status, registered agent, and the names and addresses of officers and partners.

Person Locator - This database traces an individual's residential moves and provides a current address and phone number. It also will locate the owner of a phone number, provide a listing of neighbors, and can be used to find a person by searching a last known address.

Bankruptcy Records, UCC Filings, Liens and Judgments - A review of bankruptcy records enables a researcher to trace a company that has passed through bankruptcy and determine the availability of a PRP's assets and its financial status. UCC filings can be used to obtain financial information on a PRP and a review of liens and judgments will provide information on liabilities and encumbrances of assets for businesses and individuals.

Assets Location - This database will provide information on assets owned by businesses or individuals, as well as background regarding real property ownership and real property transfers. Property records also may include tax assessment and sale information. This system also identifies FAA registered commercial and private aircraft, and provides ownership information on vessels greater than 37 feet in length.

Users are charge for their connect time and citations or records printed. Fees vary based upon the database being searched.

Information is available from Information America, Inc. by calling 1-800-235-4008.

5. CDB Infotek

CDB Infotek provides a great deal of on-line data for use in conducting PRP searches. The available information includes information on individuals, corporations and limited partnerships, real property ownership and transfers, uniform commercial code and corporate filings.

6. DataQuick

DataQuick Information Services currently provides assorted information on real property in over 450 counties in 41 states, and is expected to expand its coverage further in the next few years. The database is largely focused on the western states and contains information on transactional and ownership histories, current ownership, sales and loans, and property assessments. As a result, the database can be used to determine the ownership of a particular property and to identify the properties owned by a particular individual or company. Information on DataQuick is available by calling 1-800-863-4636.

In addition to the above described services, there are a large number of commercial regional services and databases that may be useful in performing a PRP search. Gale Research Inc. publishes an extremely useful and comprehensive two volume listing of national and regional online services and databases:

Gale Directory of Databases, Vol. 1: Online Databases, Vol. 2: Electronic Databases. Kathleen Young Maraccio, ed. Gale Research, Inc., Washington, D.C. ISBN: 0-8103-8806-5.

The Gale Directory is indexed by name, subject, producer and provider and is generally available in most local libraries.

7. Internet Sites

There a variety of search mechanisms and directories available on the Internet that can provide information on PRPs. A good listing of search engines is located at <http://www.HappyTrails.com>. Some of the more popular search engines include:

Alta Vista - <http://www.altavista.digital.com>
Yahoo - <http://www.yahoo.com>
Infoseek - <http://www.infoseek.com>
Lycos - <http://www.lycos.com>

Because many companies maintain websites on the Internet that contain corporate and financial information, a basic word search using any of the above search mechanisms can provide useful information.

A particularly useful Internet site is EDGAR (<http://www.sec.gov/edgar.shtml>), the on-line service maintained by the Securities and Exchange Commission. Publicly traded corporations are required to file lengthy disclosure statements prior to stock offerings, and must also file quarterly and annual reports. Much of this information is available through EDGAR. A number of other websites also exist that contain information on corporations, mining and mining history, and the addresses of individuals. The following sites may be useful in conducting PRP research:

American Mining History Association (<http://www.members.aol.com/MiningHA/>).

AnyWho (<http://www.anywho.com>) Searches for people, businesses, maps, etc. based on telephone directory information.

Bigbook (<http://www.bigbook.com>) Provides business information derived from telephone directories.

Bigfoot (<http://www.bigfoot.com>) Allows searches for general information on people, web sites and businesses.

Coalinfo.com (<http://www.coalinfo.com>) Contains a large of number of links to sites with information on coal mining, the coal mining industry, and mining associations.

Coal Company Virtual Library

(http://www.dpie.gov.au/resources.energy/coalmin/coal_vl/co_usa.html) Provides links to information on United States and foreign coal companies.

Comfind (<http://www.comfind.com>) A global business internet directory.

Database America (<http://www.databaseamerica.com>). Directory that allows searches for information on businesses and individuals.

Death Master File (<http://www.ancestry.com/ssdi/advanced.htm>) The Social Security Administration s file created from Social Security payment records. Allows searches by name.

Dun & Bradstreet Online (<http://www.CompaniesOnline.com>) Information on over 100,000 public and private companies, including addresses, trade names, ownership (public or private) and links to company web page.

EPA Website (www.epa.gov) Access to many EPA sites and allows searches for EPA documents and publications.

Goldsheet (<http://goldsheet.simplenet.com/industry.htm>) Contains useful links to information on a number of mining industry associations and their members.

Hoovers (<http://www.hoovers.com/>) Basic company and financial information on approximately 12,600 public and private companies.

Hotlinks (<http://www.naa.org/hotlinks/index.asp>) Links to U.S. and Canadian newspapers.

INFO-MINE (<http://www.info-mine.com/>) Contains a number of links to sources of information about individual mining companies.

Infospace (<http://www.infospace.com>) Searches white pages, yellow pages, government links, international directories, etc.

Institution of Mining and Metallurgy Web site (<http://www.imm.org.uk/>) Contains links to other sources of information on the Internet regarding mining operations and specific mining companies.

International Archive of Economic Geology (<http://www.uwyo.edu>) Lists the holdings of the University of Wyoming s International Archive of Economic Geology, including its collection of materials on the Anaconda Copper Mining Co.

Library of Congress (<http://lcweb.loc.gov/>). Homepage for the Library of Congress which allows access to card catalog for library collections as well as links to the collections of other research libraries.

Links to Information Across America (<http://mosl.sos.state.mo.us/stateweb.html>) Provides links to state offices, including secretaries of state, state libraries, state archives, etc.

Los Angeles Times Business Section Site (<http://latimes.marketguide.com/MGI/INDUSTRY/gldslv.htm>) Contains links to sites with basic information on companies involved in gold and silver mining.

MineNet - Gateway to World Mining Information (<http://www.microserve.net/~doug>) Website with many links to sites involving mining and the mining industry.

Mining Association of Canada (<http://www.mining.ca/english/companies/>) Excellent source of information on Canadian mining companies with links to company websites.

Mining Consulting Services, Inc. website (<http://www.miningusa.com>) Links to many mining-related sites.

Mining History Network (http://www.ex.ac.uk/public_html/SPECIAL.html) (<http://www.ex.ac.uk/~RBurt/MinHistNet/>). This site contains links to a number of sources of information on mining history including library collections, publications and mining historians, a number of whom are Forest Service employees.

NetPartners (<http://www.netpart.com/resource/search.html>) Searches for a company's website.

Newslinks (<http://www.pppp.net/links/news>) Links to newspapers and magazines published throughout the world.

Northern Miner Website (<http://www.northernminer.com>) Contains a number of links to sources of information about individual Canadian and American mining companies.

Northwest Mining Association (<http://www.nwma.org>) Contains links to the websites of member companies and to sites involving the member companies.

Smithsonian (<http://www.si.edu/start.htm>). Homepage of the Smithsonian Institution with links to research collections.

Switchboard (<http://www.switchboard.com>) Searches for people, businesses, websites, maps and other databases.

The Ultimates (www.theultimates.com) Provides queries for telephone white pages searches.

WhoWhere? (<http://www.whowhere.com>) Allows searches of phone and address lists, yellow pages, government directories, international directories, and email addresses.

Worldpages (<http://www.worldpages.com>) Offers yellow and white pages listings, worldwide directories, email and website searches.

Yahoo People Search (<http://www.yahoo.com>) Allows searches of white pages and yellow pages for address and phone number searches.

Yahoo s (Canadian) Mining and Mineral Exploration Companies Index (http://www.yahoo.com/Regional/Countries/Canada/Business_and_Economy/Companies/Mining_and_Minerals_Exploration/) Listing of a number of Canadian mining companies with descriptions of their activities and links to their websites.

Yahoo s (U.S.) Mining and Mineral Exploration Companies Index (http://www.yahoo.com/Business_and_Economy/Companies/Mining_and_Minerals_Exploration/) Listing of a number of U.S. mining companies with descriptions of their activities and links to their websites.

APPENDIX 3

I. SOURCES OF FINANCIAL INFORMATION

The following databases and publications provide financial data on public companies, and to a lesser extent, private companies.

American Business Disk - A CD Rom database that lists and provides a brief description of approximately 11 million companies in the United States.

CompanyLine - A computer database that contains 4.7 million company records offered by a number of different vendors, including Dun & Bradstreet and Moody's. The provider is MAID (212-750-6900).

Compustat - This is a computer database of financial information obtained for publicly held corporations from annual and quarterly reports filed with the SEC. The Compustat database contains basic financial data for a publicly held entity, in addition to related industry data. The five most useful reports available through Compustat include the following:

1. Company Report - Two variations of a basic company report are available:

Basic Company Report CIS5 - Provides 5 years of income statement data for a company.

Basic Company Report CBS5 - Provides 5 years of balance sheet data for a single company.
2. Comparative Report CISCMPR - Provides comparative income statement data for up to six companies. This allows the researcher to compare a subject corporation with similar or related entities.
3. Trend Report CIST - Provides a base year of historical annual income statement data for a single company with four following years shown as a percentage of the base year.
4. Common Size Report CISCR - Provides five years of income statement data for a company, with each line item being presented as a percentage of total sales. Changes in line items, including loss of profits, over the five year period can be identified by using this report.
5. Cash Flow Report CSCFL - Provides information on corporate cash flows over a five year period, and will provide cash flow information for the following areas: operating activities; investment activities; and financing activities.

Corporate Affiliations - Provides financial information on major U.S. and foreign companies, including data on sales volume and number of employees. The publisher is National Register Publishing (908-464-6800).

Dun and Bradstreet (D&B) Reports - D&B Reports are generally available for both private and publicly traded companies, and are valuable tools for conducting PRP investigations and obtaining financial information. Both current and historical financial reports are available. A researcher must be aware that D&B Reports may contain incorrect, misrepresented or unverified information. The following D&B reports are particularly useful:

Dun Business Information Report - These reports provide information on both public and private domestic and international corporations. In general the report includes general background information and some detail regarding corporate financial performance, as well as information on a company's management, its credit rating and history.

Dun's Financial Profile - In situations where complete financial information is available, a DFP report will be developed that compares a corporation's balance sheet and profit/loss statement with the industry statistics for that particular industry.

Dun's Financial Records Plus - Contains detailed financial information on over 1.5 million public and private companies, including balance sheets, income statements, business ratios, and profitability data. This service also compares company profitability with industry performance.

Knight-Ridder Tribune Business News - Contains the text of business related articles from the Knight-Ridder and Tribune newspapers. Knight-Ridder Information Inc. (415-254-7000).

Market Guide Selection, Over the Counter Stock Edition - Provides financial research on obscure over the counter companies. The publication is updated quarterly and is available on CD Rom. Market Service Corporation (516-327-2425).

Media General Financial Services Common Stocks Database - Information on company finances for all companies listed on the New York and American stock exchanges. Media General Financial Services Inc. (804-648-6736).

Moody's Manuals - Moody publishes a number of manuals on an annual basis that contain detailed financial information on publicly traded companies. These include: Moody's Industrial Manual; Moody's International Manual; Moody's Municipal & Government Manual; Moody's Over the Counter Industrial Manual; and Moody's Over the Counter Unlisted Manual

Moody s Corporate News - U.S. - Contains financial information on public companies in the United States, including summaries of financial statements, annual reports, balance sheets, mergers, joint ventures and bankruptcies. Moody s Investors Service, Inc. (212-553-0435).

Moody s Handbook of Common Stocks - Contains current financial statistics for 900 stocks with high investor demand. Descriptions of covered companies contain information on background, recent developments, financial statistics and future prospects. Moody s Investor Service (212-553-0435).

Moody s Industrial Manual - Full financial reports for every corporation on the NYSE, ASE, and regional stock exchanges.

Moody s International Manual - Full financial reports on major public companies worldwide. Arranged by country.

Standard & Poor s Corporation Records - A series of loose leaf volumes providing financial information that covers essentially the same material as Moody s Manuals. The entire service is available on microfiche or CD-Rom.

Standard & Poor s Stock Reports - A loose-leaf service organized according to the stock exchange on which a company s stock is traded. These include the following: Standard American Stock Exchange Report; Standard New York Stock Exchange Report; and Standard NASDAQ and Regional Stock Exchange Reports. The reports contain basic financial data for a number of public companies, including business summaries, balance sheets, capitalization, and financial outlook. Each company is covered by a two page report.

Standard & Poor s Daily News - Financial news covering 12,000 United States public companies, as well as general corporate information including management changes, mergers and acquisitions. Standard & Poor s Corporation (212-208-8275).

Standard & Poor s Corporate Descriptions - Corporate background and financial information on 10,000 publicly held corporations in the United States. Standard & Poor s Corporation (212-208-8275).

TRW Business Credit Profiles - Covers financial credit information on United States companies, including information on liens, judgments, bankruptcies and UCC filings. TRW Business Credit Services (800-520-1221).

II. CREDIT REPORTING SERVICES

Several credit reporting agencies provide information on the credit history of businesses and individuals. These agencies include Dun & Bradstreet, Experian (formerly TRW Information and Services), Equifax and TransUnion. However, under the Fair Credit Reporting Act, financial information on individuals may not be released without first obtaining authorization from the individual on whom the credit search is being conducted. Civil and criminal penalties can be imposed for violations of the Fair Credit Reporting Act.

Information that can be obtained as part of a credit report includes information such as a list of creditors (including mortgage lenders, banks, stores, credit card issuers and automobile lenders), the amount of outstanding loans, monthly payments and payment histories, as well as information on bankruptcies and accounts referred for collection.

A. Dun & Bradstreet Business Credit Services -

This is the most widely used credit rating service and it collects information on over 9 million public and private companies. The credit rating contains a description of the entity's payment history and basic financial information.

B. EXPERIAN (Formerly TRW Information and Services) -

Experian's databases provide business reports, financial information and consumer and business credit reports for approximately 13 million businesses. Available information includes: general descriptions of companies; account balances; payment practices; comparative balance sheet and operating data; descriptions of products, services and operations; estimated annual sales and market share; and other financial data.

Users are charged for connect time and for each report displayed or printed. The exact fees vary according to the method of access. TRW is available via direct dial, DIALOG, and CompuServe.

Information is available from TRW Business Credit Services (1-800-344-0603).

APPENDIX 4

MINING RECORDS

Examination of federal and county land records is an essential part of all mining record searches. Information on ownership, conveyances and past uses of property can be obtained from a review of the BLM records, and from county land office records. The process of researching mining records is an enormously complicated and potentially confusing task, and should only be performed by individuals familiar with the record keeping system for mining records.

I. Unpatented Claims - Federal Records

A. State Office, Bureau of Land Management

The state BLM office is the source for all documents pertaining to title for federal lands. For lands that are determined to be public domain lands, certain records and files that are maintained in BLM's state offices can be used, in combination with records in the County Recorder's office, to determine the existence of unpatented mining claims and the location and ownership of these claims.

BLM's unpatented mining claim records should not be viewed as a definitive source of information on the ownership of, and the encumbrances affecting, a mining claim. It was not until after 1979 that the BLM began to maintain records relating to all unpatented claims on federal lands. As a result, the primary source of title documents and information relating to transfers of ownership are local county land records.

Prior to 1976, there was no legal requirement for recording mining claims with the federal government. In 1976, as part of the Federal Land Policy and Management Act, a system of filing all mining claim location notices for unpatented mining claims was enacted. This provision of FLPMA became effective on October 21, 1979. After that date, the BLM maintained complex cross indices that indicate whether mining claims exist and the identities of the parties purporting to own the claims.

Two categories of records pertaining to unpatented mining claims are typically maintained in the BLM State Office:

Category 1 consists of documents that can be used to identify transactions that have affected the land. These include: master title plats; use plats; historical indexes; miscellaneous document indexes; and mining claim indexes. It is important to recognize that the master title and use plats only contain information on the current use and ownership of the land. The historical and miscellaneous indexes contain information on prior land uses.

Category 2 consists of documents that can be used to analyze specific transactions. These include: serial register pages; case files; survey plats; and individual control documents, such as patents, public land orders, secretarial orders, and survey notes.

BLM records are maintained in the "public rooms" of the state BLM offices. Each local BLM office has jurisdiction over a specific area and maintains mining records for those areas. The local BLM offices are listed in 43 C.F.R. § 1821.2-1. BLM district or area offices maintain microfiche indexes of claims within their jurisdiction, but do not necessarily maintain copies of case files. The public rooms vary in the level of automation of their data bases, although BLM intends to automate all of its land record keeping systems under the Automated Lands and Minerals Record System (ALMRS) that was initiated in 1981. ALMRS is intended to replace the master title plat and historical index system discussed below and should greatly improve accuracy and the ability to conduct research of land records.

Included below is a description of each of the types of records maintained by the BLM:

1. Documents Used for Identifying Types of Transactions

The following BLM materials can be used to identify present and past transactions affecting a particular parcel of land. The starting point for examining mining records can be either with the master title plat, the mining claim index or the serial register page. If only the location of the mining claim is known, the starting point would be the master title plat, whereas if the name of the claim or the serial number of a lease is known, the mining claim index or the serial register pages would be appropriate starting points.

a. Master Title Plats

The master title plat is a map that covers a single township and compiles information from all surveys conducted in that township. The master title plat provides a visual representation of the present status of lands and indicates whether lands are public domain, acquired land or patented land. The plat also will show patented land, reservations, withdrawals, rights of way, state grants, acquired lands, national forests, and other land classifications.

In order to use the master plat, the area in question must be located and the symbols or boundary lines on the map examined to determine what transactions have affected the land. Boundary lines on the plat indicate that an area within a particular boundary has been affected by a transaction. In the lower portion of an area with a boundary, a number (called a serial number) and one or more symbols appears. The serial number identifies the transaction that created the boundary and can be used to locate the document creating the boundary. The other annotations explain the nature of the action affecting the land within the boundaries.

Importantly, master title plats only indicate the current status of land. Historical transactions are identified by using historical indexes discussed in Section 4 below.

b. Supplemental Plats

Supplemental plats are enlargements of sections of the land that is shown on a master title plat and contain the same information and symbols as the master plat.

Supplemental plats are meant to increase the scale in cases where a great deal of information is contained in the master title plat. The same annotations are shown on the supplemental plat as on the master title plat. Like master plats, supplemental plats only reflect current land uses.

c. Use Plats

Use plats are reproductions of title plats that contain superimposed information on temporary uses such as leasing, licensing, or permitting. Like master plats, use plats only reflect current land uses.

d. Historical Index

The historical index is a chronological summary in tabular form of all actions that have affected a township. The tables indicate the section(s) of land affected by a transaction, the acreage in the transaction, the type of transaction, the serial number, the date of the action and explanatory comments to later actions that might affect the transaction.

There are several ways to use the information that is contained in the historical index. First, serial numbers can be looked up on the index. The information on the index pertaining to the serial number will provide a very complete picture of a transaction. Second, the index can be used to identify transactions that have affected a particular section of land that may not be shown on any of the BLM master plats. Because the master, supplemental and use plats only indicate current status of lands, earlier entries may only be shown on the historical index.

In addition to the historical index, the BLM offices maintain copies of the tract books that were used prior to the use of the historical index. Tract books, which BLM typically maintains on microfilm, were maintained prior to 1954 and consisted of ledger sheets on which all transactions for each section of land were listed in chronological order. Unlike the historical indexes, the tract books noted whether applications for prospecting permits or leases were received and if such an application was disapproved or withdrawn.

e. Mining Claims Index

BLM maintains three sets of indexes of unpatented mining claims, including: an alphabetic claim name index; a claim owner index; and a geographical location index. If

one of these pieces of information is known, the other two can be determined. This index also contains information on the date of location, date of last filing of proof of annual labor, type of claim and recording information.

Each index contains the BLM mining number assigned to the claim. These numbers function in the same manner as the serial numbers on master plats, and can be used to identify the source materials that were used to produce the indexes.

2. Materials for Detailed Evaluations of Transactions

After identifying past and present transactions that have affected a property, detailed information on the transactions that have been identified can be obtained by reviewing the following BLM documents. These documents can be used to determine the effect of any of the transactions that have been identified.

a. Serial Register Pages

The serial register is a case control record established in 1908 as a digest of each serialized case. Serial Books, which are maintained at each BLM state office, are loose leaf notebooks that contain a chronological summary of a particular land transaction (e.g., leases, withdrawals, rights of way, etc.).

Serial pages contain: the serial number assigned to a transaction which corresponds to a case file containing all documents in the case; the date the transaction was initiated, modified or terminated; lands affected; and the names of holders of interest in the land. The serial pages are arranged in numerical order of the serial number assigned to the transaction.

BLM originally established serial register pages based on the mining claim number. This practice is no longer followed, but many BLM offices do not update the serial register pages. As a result, the case file for a mining claim must be reviewed in order to obtain information about the claim.

Serial register pages are generally available on microfilm and are available for viewing or copying.

b. Case Files

Case files provide information on all actions taken or affecting a particular case, including existing leases, prospecting permits, rights of way, mining claims and other transactions that have an effect on the status of land. Case files are available from the BLM's public room personnel and are arranged according to serial or mining claim number.

Case files contain the entire history of a transaction as well as all documents relating to the transaction. The file will reflect other actions taken regarding a transaction. For

example, in the case of leases, information on bonding, assignments, transfers, rental payments, owner qualifications, and other information would be maintained in the case file.

Unpatented mining claims also have case files which may include location certificates, evidence of annual assessment work, and notices of transfers of interest. It is important to recognize that the case files for unpatented mining claims are not always updated to reflect transfers of interest. As a result, the case file for an unpatented mining claim is not always a reliable method for identifying the current owner of a claim.

c. Control Documents

Specific documents affecting land transactions and identified in the master title plat or the historical index also may provide useful information. These documents may include copies of patents, deeds, survey plats, supplemental plats, and the field notes taken during the course of the survey. They also may include copies of laws and proclamations affecting public land, and public land orders. The specific patent documents may provide detailed information on the land affected by the patent and the name of the patentee, while the survey information may prove useful in determining the exact location and size of the land in question.

Certain types of records rarely appear as part of a BLM record search. For example, while some BLM offices will file mortgages and other security instruments, other BLM offices will not. Similarly, because the filing of transfers of interest in unpatented mining claims are not mandatory, such instruments often will not be located as part of a BLM record search. For this reason, it often is essential that other record repositories other than the BLM state offices also be searched to obtain a complete record of interests in a particular property.

B. Minerals Management Service

The Minerals Management Service is responsible for the collection of rent and royalties on producing federal leases, and for the approval of operating or development contracts and processing or milling arrangements for the conservation of hardrock minerals. A review of Minerals Management Service records would be useful in obtaining supplementary information on a particular leasehold.

C. Washington, D.C. BLM Office

Until 1956, the Washington, D.C. office of BLM maintained duplicate tract books, survey plats and patent files in the event of a loss of local BLM records. If local BLM records are missing or contain inconsistencies, the Washington office records may provide a useful source of information.

D. Uniform Commercial Code Filings

The future production from a mineral lease or mining claim may be used as security for a loan. In such a case, the borrower may execute a security agreement and financing statement in place of or in addition to a mortgage. Depending upon the state, a record of such a security interest may be filed with the county recorder's office. In other states, the office of the secretary of state maintains a record of such encumbrances.

E. County Records

Most state laws require that mining claims and actions pertaining to the claim be recorded at the county level. The records that must be maintained by the county recorder's office vary from state to state and from county to county. In general, however, county records will contain information on the ownership of a property and the existence of any encumbrances. Prior to 1979, county mining records were the only official source for researching mining claims.

The records available at the county level may include ownership plats, tract or abstract indexes, grantor/grantee indexes, mortgagor/mortgagee indexes, and miscellaneous indexes that may contain information on leases, judgments, liens, encumbrances, royalty agreements, UCC filings, and zoning.

It must be noted that county mining records may be incomplete and confusing. This is particularly true in counties that maintain separate grantor/grantee indices for different categories of property transfers or mining claims. In such cases, separate indices may exist for lode claims, placer claims, mining leases, options and agreements, and tax sales.

The county treasurer's office may also contain useful information since unpaid real property taxes may constitute liens on property and indicate property ownership. Only a few counties levy property taxes on unpatented mining claims, but where they do, these records can be used to determine claim ownership. Tax records are particularly useful where other records are missing or where there is some question or dispute regarding the actual ownership of a property. County planning and zoning office records also may be useful in determining prior uses, ownership or activities at a site.

The examination of county records can be performed by either a direct examination of the records or by an examination of the abstracts of title. However, it is generally more difficult to obtain abstracts for unpatented mining claims than for other types of property. Abstracts for mining claims are not maintained as a matter of course by local abstracting offices. As a result, the abstracts are often not readily available and are typically expensive when available.

In addition, unpatented mining claims are normally indexed by claim name in a grantor-grantee index or in a mining claim index. The method of abstracting and indexing also varies from county to county, and even within a single mining district,

several claims with the same claim name may be present. Moreover, it is not unusual to have chains of title for two unrelated mining interests abstracted under the same claim name.

In some states (such as in Nevada, and to a lesser extent, New Mexico, Arizona, and Colorado), counties maintain useable indices of mining claim maps that allow a researcher to identify mining claims that are located on a particular parcel of land.

II. Patented Claims

Research into patented mining claims is substantially easier than research involving unpatented claims.

A. Federal Records

As with unpatented mining claims, the starting point for researching a patented mining claim is with the state office of the BLM. The BLM office will have original survey plats and patent documents. Records of patented mining claims may be located on the master title plat maintained by BLM.

The originals of applications for mineral patents are stored in the National Archives and can be loaned back to the local BLM offices for review or can be viewed at the National Archives.

Patent documents will contain descriptions of the patented claim and the identity of the holder of the patent.

B. Local Records

Once the federal records have been reviewed, the county records also must be reviewed. County patent records are indexed under the names of the grantor/grantee, are usually indexed under the name of each claim, and may be indexed according to the land involved (e.g., section, township and range).

Patented mining claims also are placed on the real property tax rolls and a review of tax records may reveal information concerning the ownership of patented claims. In addition, a patented mining claim may occasionally be subdivided without regard to its status as a mining claim. As a result, where county land records are divided into separate systems for mining claims and other real estate, it may be necessary to review both county mining records and general real estate transfer records.

The following local sources may maintain title information:

1. County Recorder - Maintains records of deeds, assignments, mortgages and assessment work for unpatented mining claims.

2. County Tax Assessor - Maintains records of land ownership, land valuation and appraisal data.
3. County Planning Commission - Maintains records pertaining to zoning regulations and ordinances. May also require permits for mining activities.

APPENDIX 5

SOURCES OF HISTORICAL INFORMATION ON MINING ACTIVITIES

I. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

The National Archives and Records Administration (NARA) is the repository for the records of the federal government. NARA's records are maintained in three Washington, D.C. area facilities and twelve regional centers. Natural resource records are housed in the three Washington, D.C. area facilities: Washington Records National Records (Suitland, Maryland); Archives I (National Archives Building) and Archives II (College Park, Maryland).

The regional NARA offices and their locations are:

New England Region (Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island) - Waltham, Massachusetts.

Northeast Region (New Jersey, New York, Puerto Rico, and Virgin Islands) - Bayonne, New Jersey.

Mid-Atlantic Region (Delaware, Pennsylvania, Maryland, Virginia and West Virginia) - Philadelphia, Pennsylvania.

Southeast Region (Alabama, Georgia, Florida, Kentucky, Mississippi, North Carolina and Tennessee) - East Point, Georgia.

Great Lakes Region (Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin) - Chicago, Illinois.

Central Plains Region (Iowa, Kansas, Missouri and Nebraska) - Kansas City, Missouri.

Southwest Region (Arkansas, Louisiana, New Mexico, Oklahoma and Texas) - Fort Worth, Texas.

Rocky Mountain Region (Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming) - Denver, Colorado.

Pacific Southwest Region (Arizona, southern California, Clark County, Nevada) - Laguna Niguel, California.

Pacific Sierra Region (northern California, Hawaii, Nevada (except Clark County)) - San Bruno, California.

Pacific Northwest Region (Idaho, Oregon and Washington) - Seattle, Washington.

Alaska Region (Alaska) - Anchorage, Alaska.

In order to determine which of the facilities maintains particular records it is usually necessary to contact NARA's Public Information Office located in Archives I. This is because the natural resource records are housed in a number of different locations. An additional source of information is the 1996 edition of the Guide to the National Archives of the United States which is organized by government departments and agencies. NARA also publishes a guide to its microfilmed records, Microfilm Resources for Research, A Comprehensive Catalog.

The records of USGS and the Bureau of Mines are located in Archives II, while records of the Bureau of Indian Affairs are kept in Archives I. Records of the United States General Land Office are divided between Archives I and II. Regional branches contain the field office records of the federal government, including copies of correspondence, reports and other records sent to Washington, D.C. offices.

II. PUBLICATIONS

A number of sources exist that contain records relating to historic mining activities. As discussed previously, a great deal of historical information can be obtained from a title search of county and BLM land records. However, many additional sources of information also are available depending upon the factual circumstances and location of a particular site. These records include the publications of the United States Bureau of Mines, the United States Geological Survey, state agencies involved with mining or geology, university libraries, the publications of private mining organizations, and the records and collections of state and county museums and historical societies. The best known and most readily available resources in each of these categories are discussed below.

A. United States Bureau of Mines

The United States Bureau of Mines was originally created as a bureau within the Department of Commerce but was subsequently moved to the United States Department of the Interior and finally abolished on March 30, 1996. The Bureau of Mines published a wealth of information on mines, mine claims and related mining activities. Its most noteworthy publications include the Minerals Yearbook and Mineral Resources of the United States.

The Minerals Yearbook. This publication provides information on "metals of interest" and "minerals of interest" on an annual basis. Mining information for a particular year is always published in the following year's publication. As a result, if information is being sought regarding a company's mining activities in 1936, the Minerals Yearbook for 1937 would be the place to look for that information. The Minerals Yearbook began publication as Mineral Resources West of the Rocky Mountains which was published by the Department of the Interior from 1867-76. This was followed by Mineral Resources of the United States published by the Department of the Interior, United States Geological Survey from 1882 until 1924. The Department of

Commerce, Bureau of Mines published Mineral Resources of the United States from 1924 until 1932. Publication of the Minerals Yearbook began in 1932, when the Bureau of Mines was moved to the Department of the Interior.

In addition to the Minerals Yearbook, the Bureau of Mines also published Bureau of Mines Information Circulars, Reports of Investigations, and the Mines Bulletins. The Reports of Investigations often contain reports on specific metals or minerals or their production methods, while the Mines Bulletins tend to be even more specific and may address the activities of individual mines. The Mines Bulletins were first published in 1910.

Indexes of Bureau of Mines Publications and Articles are available from NTIS at www.ntis.gov/product/bureau-mines.htm.

B. United States Geological Survey

The United States Geological Survey has published a number of useful resources pertaining to mined lands, mineral resources and mining operations. The relevant publications include the United States Geological Survey, first published in 1890; the United States Geological Survey Professional Papers, first published in 1902; the United States Geological Survey bulletins which began publication in 1883; and the United States Geological Survey's Mineral Resources of the United States, the first volume of which was published in 1883.

C. State Agencies and State Departments of Mines

State agencies with responsibilities over mining and geology are also good sources of production related information. While some of the information available at the state level may actually duplicate what is available from the Bureau of Mines or the United States Geological Survey, much of the information may also be more detailed and site specific. Often the focus of state agencies was to encourage mining in the state, and these efforts have resulted in a great deal of useful information on the state mining industry being made publicly available.

Unfortunately, obtaining state mining records is often difficult, with the sole sources usually being the state agency or for older publications, the state archives. Addresses and phone numbers for a number of state agencies is included as Appendix 9.

III. PROFESSIONAL ASSOCIATIONS

Publications by professional organizations such as the Geological Society of America, which was founded in 1888, are usually technical in nature but often contain descriptions of historic mining activities in an area and the entities involved with such work. Such publications may provide worthwhile information regarding the parties that operated a site and the nature of those operations.

Several relevant professional organizations are listed below:

American Institute of Professional Geologists

7828 Vance Drive, Suite 103
Arvada, Colorado 80003
303-431-0831

Geological Society of America

3300 Penrose Place
P.O. Box 9140
Boulder, Colorado
80301-9140
303-447-2020

Mining History Association

P.O. Box 150300
Denver, Colorado
80215
Homepage: <http://members.aol.com/MiningHA/>

Mineral Information Institute

475 17th Street, Suite 510
Denver, Colorado 80202
303-297-3226

Mining and Metallurgical Society of America

476 Wilson Avenue
Norato, California 94947
415-898-4508
Homepage: <http://www.mmsa.net>

Society for Mining, Metallurgy and Exploration

8307 Shaffer Parkway
Littleton, Colorado 80127
303-973-9550
Homepage: <http://www.smenet.org/>

Society of Economic Geologists, Inc.

Idaho Geological Survey, MG-229
Boise State University
Boise, ID 83425

IV. STATE AND UNIVERSITY LIBRARIES

State libraries and public and private universities often have good collections of mining related materials including historical records and academic research. For example, the University of Wyoming's International Archive of Economic Geology houses a large collection of documents and data on the mining activities of individual companies, including a collection of materials on the mining activities of Anaconda Copper Mining Co.

Publications may not only address activities at properties of interest, but also contain references to other sources of information. In conducting research regarding corporate histories, a useful source of information on library holdings is the Directory of Business Archives in the United States and Canada (see List of Commercial Publications, below) and the World Directory of Business Information Libraries (see Appendix 6). The addresses and websites of many state libraries and state archives are provided in Appendix 90.

University libraries also may maintain collections of many of the publications of federal and state agencies and professional and state organizations involved with mining activities.

In addition, if a useful publication is located, related publications are often located in close proximity on library shelves. If a particular publication was generated as part of the university's research activities, there is also a good possibility that other related publications on the same subject will be available.

V. COMMERCIAL PUBLICATIONS

A number of commercial publications also are available that provide historical information on corporations, including name change information, corporate mergers or acquisitions, and the dates of corporate dissolutions. These publications are listed below. In addition, a number of the publications listed in Appendices 6, 7, and 8 are useful for finding historical information on a company's activities. If the dates that a particular company was active at a site are known, the back issues of many of these publications can be reviewed for relevant information.

Capital Changes Reporter (Commerce Clearing House, Inc.). Annual. A multi-volume compilation that provides a description of the history of a corporation's reorganizations, mergers and acquisitions. Corporations are listed alphabetically and monthly updates are provided. A CD Rom version of the Capital Changes Reporter also is available. This version contains information on corporations that were described in previous issues of the Reporter but that have been removed from the reporter due to editorial decisions and limitations on the size of the publication. As a result, the CD Rom version is one of the best resources for conducting historical research on corporate histories since it will contain information that is not available in the updated hard copies of the publication.

Corporate Acquisition Guide - Environmental Financial Information Services, Inc. (206-284-3968). Lists approximately 3000 corporate acquisitions and mergers dating from the late 1800s until the present.

Corporate Entity Name Change Guide - Environmental Financial Information Services, Inc. (206-284-3968). Comprehensive listing of approximately 4000 corporate name changes from the late 1800s until the present.

Directory of Business Archives in the United States and Canada (Society of American Archivists (312-922-0140)). Irregular. Lists and describes archival holdings of over 150 companies in the United States and Canada.

Directory of Corporate Name Changes - Scarecrow Press (908-548-8600). Last published in 1993. Lists a large number of United States corporations under the names by which they have been known as well as their current names.

Directory of Obsolete Securities (Financial Information, Inc. (212-943-1880)). Annual. Contains brief profiles of banks and companies whose original identities have been lost through merger, acquisition, dissolution, bankruptcies or name changes since 1927.

F&S Index of Corporate Change (Information Access Co. (800-321-6388)). Quarterly. Covers corporate changes involving United States public and private companies, including mergers, acquisitions, liquidations, reorganizations and name changes.

Financial Post Survey of Predecessor and Defunct Companies (Financial Post DataGroup (416-350-6500)). Provides corporate history for more than 12,000 Canadian mining companies with brief description of major changes (e.g., mergers, name changes, takeovers, etc.) in their history.

Financial Stock Guide Service (Financial Information, Inc. (212-943-1880)). Contains a directory of obsolete securities with a brief profile of companies whose original identities have been lost due to actions affecting their stock). Updated annually.

International Directory of Company Histories (St. James Press (313-961-2242)). Published most recently in 1995. Eleven volumes containing corporate histories of 2200 companies worldwide.

Marvyn Scudder Manual of Extinct or Obsolete Companies (R.M. Smythe & Co. (212-943-1880)) - see entry for Robert D. Fisher Manual of Valuable and Worthless Securities. Published in four volumes beginning in the 1900s and continuing until 1934 when it was replaced by the Robert D. Fisher Manual of Extinct and Obsolete Companies which is described below.

Moody s Industrial Manual and Moody s OTC Industrial Manual (Moody s Investor Service, Inc.) Provides summaries of company histories, backgrounds, mergers and acquisitions. Updated annually.

Robert D. Fisher Manual of Valuable and Worthless Securities (formerly the Robert D. Fisher Manual of Extinct and Obsolete Companies; and the Marvyn Scudder Manual of Extinct or Obsolete Companies) (R.M. Smythe & Co.(212-943-1880)) Fifteen volumes published erratically between 1926 and 1984. Volumes 5 and 6 (1937 and 1938) and the edition published in 1943 contain indices to material contained in prior volumes. Volumes 5 through 15 list companies whose securities may have an exchange value or may be worthless.

Walkers Annual Corporate Manuals. Walker s Manuals have been published under various titles and by several different publishers since the late 1800s. The focus of these publications has been on corporations active or incorporated in the western United States. Because of Walker s Manuals long history of publication it is an excellent resource for doing historical research on the activities and ultimate fate of companies that were active in the early portion of the twentieth century. Walker s Manuals have been published under the following titles: Walker s Manual of Far Western Corporations and Securities; Walker s Manual of California Securities and Directory of Directors; Walker s Manual of Pacific Coast Securities; Walker s Manual of Western Corporations and Securities; Walker s Manual of Western Corporations; and Walker s Manual of Far Western Securities.

APPENDIX 6

PUBLICATIONS CONTAINING GENERAL INFORMATION ON CORPORATIONS¹³

American Business Locations Directory - Gale Research (313-961-2242). Five volumes containing locational information and descriptions of the operations of the facilities of approximately 1,000 companies.

America s Corporate Families and International Affiliates; America s Corporate Families - Dun & Bradstreet (201-605-6442). These publications focus upon corporate ownership and provide information on whether a company is part of a larger corporate family. The publication covers 11,000 United States corporations and their subsidiaries, and provide descriptive information including address, state of incorporation, sales volume, type of business, net worth, number of employees, and corporate officers.

American Manufacturers Directory (formerly the U.S. Directory of Manufacturers) - American Business Directories, Inc. (402-593-4600). Annual. Provides basic information on approximately 150,000 manufacturing companies that have 20 or more employees. A more comprehensive CD Rom version also is available.

Corporate Acquisition Guide - Environmental Financial Information Services, Inc. (206-284-3968). Lists approximately 3000 corporate acquisitions and mergers dating from the late 1800s until the present.

Corporate Directory of U.S. Public Companies - Walker s Western Research (415-341-1110). Provides general information on publicly held corporations that are traded on the New York and American stock exchanges.

Companies International Corporate Connections - Gale Research (313-961-2242). Annual. Lists 28,000 parent companies and their subsidiaries.

Corporate Entity Name Change Guide - Environmental Financial Information Services, Inc. (206-284-3968). Comprehensive listing of approximately 4000 corporate name changes from the late 1800s until the present.

¹³ In addition to the resources described below, American Business Directories, Inc. and American Business Information, Inc. (ABI) publish a business directory for each of the fifty states, as well as for the Canadian province of Alberta. These directories are compiled from local telephone books and contain basic information on businesses currently operating within a particular state. ABI also publishes business directories for a number of cities. In the event that an address for a smaller company is needed, the ABI directories provide a useful resource. Additional information can be obtained by calling ABI at 402-593-4600.

D & B Million Dollar Directory - Dun & Bradstreet (201-605-6442). Annual. This is one of the best resources for general information on public and private companies. The five volume set lists public and private companies with a net worth of \$500,000 or more, 250 or more employees, or \$25,000,000 or more in sales volume. Information includes name, address, phone number, state of incorporation, sales on an annual basis, parent company, and current ownership. Companies also are cross referenced by geographic area and SIC code. A condensed single volume version, the Million Dollar Directory the Top 50,000 Companies, also is available.

Directory of Corporate Affiliations/U.S. - National Register Publishing (908-464-6800). A two volume set that provides business and financial information on approximately 4,000 public and private United States companies and their subsidiaries. Mergers, acquisitions and name changes of the parent company are listed in the front of the volumes.

Directory of Corporate Name Changes - Scarecrow Press (908-548-8600). Last published in 1993. Lists in alphabetical order a large number of United States corporations by the names by which they have been known as well as by their current or most recent names.

Dun & Bradstreet Family Tree - Dun & Bradstreet (201-665-5000). Lists parent corporations and their subsidiaries and identifies whether a company is a parent company, a subsidiary or some other entity.

Gale Business Resources - Gale Research (313-961-2242). Contains information on approximately 200,000 companies located in the United States. Information consists of addresses, financial data, company histories, market reports and SEC filings for Fortune 1,000 companies.

Hoover s Guide to Private Companies - Hoover s, Inc. (512-374-4500). Biennial. Contains information on 500 privately owned companies, including detailed financial and operations information.

Merger and Acquisition Sourcebook - Quality Services Co. (805-964-7841). Annual. Provides information on corporate mergers on an annual basis, including summaries and analyses of the merger.

The Merger Yearbook (formerly the Yearbook on Corporate Mergers, Joint Ventures and Corporate Policy) - Securities Data Publishing (212-765-5311). Annual. Contains information on corporate mergers, acquisitions and joint ventures that occurred in the previous year.

Moody s Handbook of Common Stocks - Moody s Investors Service, Inc. (704-527-2700). Biennial. Information provided on approximately 1000 companies that are traded on the New York and American stock exchanges.

Owners and Officers of Private Companies - The Taft Group (313-961-2242). Annual. Background information on the corporate executives at 48,000 United States companies with annual sales exceeding \$3 million.

Standard & Poor's Corporation Records - McGraw-Hill, Inc. (212-208-8363). Revised annually. Detailed background information on 11,000 publicly owned companies.

Standard & Poor's Register of Corporations, Directors and Executives (also known as Poor's Register of Corporations, Directors and Executives) - McGraw-Hill, Inc. (212-208-8363). A three volume set that provides basic descriptions of over 55,000 public and privately owned companies with biographies of corporate officers. Volume 1 lists annual sales and other company data. Volume 2 lists information on directors and officers, and Volume 3 indexes entries by SIC code, location and corporate changes.

Walker's Manual of Unlisted Stocks - Walker's Western Research (510-283-9993). Provides information on approximately 500 public companies that are not traded on the major American stock exchanges.

Ward's Business Directory of U.S. Private and Public Companies - Gale Research (313-961-2242). Updated annually. Lists 132,000 companies with the first volume containing information on corporate addresses, revenues, number of employees, and type of company (parent, subsidiary, etc.). Income statements and balance sheet information also is included.

Who Owns Whom: North America (formerly known as Who Owns Whom: International Subsidiaries of U.S. Companies) - Dun & Bradstreet, Ltd. Annual. Covers parent companies located in the United States and Canada and their domestic and foreign subsidiaries.

World Directory of Business Information Libraries - Gale Research (800-877-GALE). Lists and describes national, public, academic and special libraries with business holdings.

APPENDIX 7

COMPUTER DATABASES CONTAINING GENERAL INFORMATION ON CORPORATIONS

US Corporations

ABI/Inform - UMI (800-521-0600). Indexes and summarizes articles from business publications. Available on Nexis and DIALOG.

AP Data Stream - Associated Press (212-621-1585). Full text of daily financial news compiled by the Associated Press. Available on Nexis and DIALOG.

American Manufacturers Directory (CD Rom) - American Business Directories, Inc. (402-593-4600). Annual. Provides basic information on approximately 530,000 United States manufacturing companies.

BusinessWire - BusinessWire (415-986-4422). Corporate press releases and news stories. Available on Nexis and DIALOG.

CD/Corporate: U.S. Private - OneSource Information Services Inc. (617-441-7000). Quarterly. CD-Rom that lists and provides general information on 115,000 public and private companies with an emphasis on private entities.

Corporate Affiliations Online - National Register Publishing (908-464-6800). Monthly on LEXIS-NEXIS and DIALOG. Provides a profile and description of corporate relationships for approximately 100,000 companies.

Corporate Affiliations Plus (CD Rom) - National Register Publishing (908-464-6800). Provides financial information on over 15,000 companies and their subsidiaries and affiliates.

D&B MarketPlace - Market, Inc. (617-672-9200). Quarterly. CD Rom that provides basic information on approximately 10 million companies.

F&S Indexes - Information Access Company (800-321-6388). Summaries of industry and business publications dealing with U.S. and foreign corporations. Available on Nexis and DIALOG.

Hoover s Company Profiles (CD-Rom) - Hoovers, Inc. (512-374-4500). Quarterly updates. In depth corporate profiles of approximately 1000 companies.

Hoover s Electronic MasterList of Major U.S. Companies (Diskette) - Hoovers, Inc. (512-374-4500). Last Published in 1994. Information on approximately 7000 companies and their corporate officers.

Moody s Company Data (CD Rom) - Moody s Financial Information Services (800-955-8080). Annual. Describes the operations and provides basic information on 10,000 publicly traded companies.

National Newspaper Index - Information Access Company (800-321-6388). Index of newspaper articles from major U.S. papers. Available on DIALOG.

Reuters Textline - Reuters, Ltd. Abstracts of national and international business news, including newspapers and trade publications. Available on DIALOG.

Canadian Corporations

Browning Database Review (formerly the Browning Review of Canadian Business Databases) - Browning Associates (416-465-9426). Computer database that summarizes 125 databases that provide information on Canadian businesses.

Canadian Corporate Names Database - Infomart Dialog, Ltd. (416-442-2198). Updated weekly. This is a computer database that contains information on over 3 million Canadian corporations and business names. Information includes name, address, province of incorporation, legal status and date of incorporation.

Canadian Federal Corporations and Directors - Southam Electronic Publishing (416-442-2198). Updated monthly. Contains information on 250,000 federally incorporated Canadian companies.

DUNSERVE II (Computer Database) - Dun & Bradstreet Canada (416-568-6151). Bimonthly updates. Provides basic information on over 650,000 publicly and privately owned Canadian companies.

ProFile Canada (CD Rom) - Micromedia, Ltd. (416-362-5211). Quarterly updates. Basic information on over 25,000 Canadian companies.

Report on Business Corporate Database (Diskette) - Globe Information Services (416-585-5250). Contains historical and current information on 3000 Canadian companies based upon annual corporate reports.

APPENDIX 8

PUBLICATIONS CONTAINING GENERAL INFORMATION ON CORPORATIONS INVOLVED IN MINING

US Corporations

American Mines Handbook - Southam Magazine Group (416-445-6641). Annual. Comprehensive coverage of over 1000 mining companies with operations in the United States.

Coal Companies Worldwide - SERIS Business Information Library. Provides comprehensive information on a number of parent companies and their subsidiaries involved in coal mining.

Coal Mine Directory - Intertec Publishing Co. (312-609-4352). Annual. Lists coal mines located in the United States with information on name, address, phone number, name of owner, key personnel and parent/subsidiary information.

Directory of Ownership Links in the Lead and Zinc Industry - International Lead and Zinc Study Group. No regular schedule for publication. Lists companies operating lead and zinc mines in 49 countries.

Engineering and Mining Journal International Directory of Mining - Maclean Hunter Publishing Co. (800-621-9907). Annual. Lists and describes over 2000 companies producing minerals and metals worldwide.

Financial Times International Year Book - Mining (also known as Financial Times Mining International Year Book or Mining International Yearbook. Formerly Skinner s Mining Year Book) - Longman Group UK, Ltd. Annual. Lists approximately 800 mining companies operating worldwide, including names, addresses, phone numbers, subsidiaries, statistics on production and reserves, and basic financial data.

Limestone Mining Directory - American Business Directories, Inc. (402-593-4600). Updated constantly. Compilation of limestone mining concerns nationwide. Includes name, address, phone number, and number of employees.

Minerals Yearbook - U.S. Geological Survey (703-648-4753). Irregular. Three volume set that contains information on mining companies and production and statistical information on mining in the United States and in other countries. Information on specific companies includes information on names, addresses and nature of mine operations.

Mining Companies Directory - American Business Directories, Inc. (402-593-4600). Annual. Information on United States mining companies taken from

telephone directory data. Includes name, address, phone number, and number of employees.

Mining Directory - Metal Bulletin, Inc. (212-213-6202). Annual. Descriptions of mining companies and mining equipment manufacturers located worldwide. Basic information on companies is provided, including name, address, telephone number, and description of operations.

MineSearch (computer database) - Metals Economics Group, Ltd. (902-429-2880). Daily Updates. Contains information on the status and activities of current mining projects worldwide.

Northwest Mining Association - Service Directory - Northwest Mining Association (509-624-1158). Annual. A listing of approximately 2800 mining companies and mining equipment supply firms located in the northwestern United States and western Canada that are members of the Northwest Mining Association. Basic information is provided on member companies, including name, address, phone number and an overview of operations.

Randol Mining Directory - Randol International, Ltd. (303-526-1626). Annual. Comprehensive listing of basic information on precious metal and other metal mining companies operating in the United States and a geographical list of mines.

Southwest Contractor - Directory of Active Mines in Arizona, New Mexico and Nevada (formerly known as Mountain States Mining) - McGraw Hill Publishing, Inc. (602-258-1641). Annual. Lists and describes mining operations in Arizona, New Mexico, and Nevada.

United States Census of Mineral Industries - Bureau of the Census, Dept. of Commerce (202-783-3238). Published every five years.

Western Mining Directory - Howell International, LLC (303-770-6794). Annual. Lists approximately 700 firms involved in the mining industry in the western United States. Includes information on corporate affiliations, joint venture agreements, addresses and mining sites.

Who Owns Who in Mining - Roskill Information Services (44 171 5825155). Annual. Describes the relations and affiliations of approximately 3000 mining companies worldwide.

Canadian Corporations

Canadian Institute of Mining Directory - Canadian Institute of Mining and Metallurgy (514-939-2710). Annual. Contains descriptions of the approximately 11,000 members of the Canadian Institute of Mining, Metallurgy, and Petroleum, including names, addresses and dates of membership.

Canadian Key Business Directory - Dun & Bradstreet Canada, Ltd. (416-568-6000). Annual. Lists leading Canadian companies (those with \$1,000,000 or more in net worth, \$20,000,000 or more in sales or 100 or more employees) and contains information on sales, number of employees, parent company and corporate officers.

Canadian Mines Handbook - Southam Magazine Group (416-445-6641). Annual. Covers approximately 2000 Canadian mining companies and includes the address, phone number, names of corporate officers and directors, date and province of incorporation, location of mines, and basic financial data.

Canadian Mining Journal s Mining Sourcebook (formerly known as the Canadian Mining Journal s Reference Manual and Buyers Guide) - Southam Magazine Group (416-445-6641). Annual. Includes information on underground and open pit mines operating in Canada. Information includes name of mill, description of mine workings, mining methods, etc.

Canadian Resources and PennyMines Analyst: The Canadian Newsletter for Penny-Mines Investors - MPL Communication, Inc. (416-869-1177) Weekly. Publication that primarily addresses Canadian gold mine stocks and companies.

Survey of Mines and Energy Resources (formerly known as Financial Post Survey of Mines; Survey of Energy Resources; and Survey of Oils) - Financial Post DataGroup (416-350-6500). Annual. Lists and describes approximately 2300 companies involved in mining and processing minerals in Canada. Lists companies, subsidiaries and former names.

Mexican Corporations

Mexican Mining Directory - Randol International, Ltd. (303-526-1626). Listing and descriptions of Mexican mining companies and their mining interests and operations.

Randol Mexican Mining Directory - Randol International, Ltd. (303-526-1626). Descriptions of Mexican mining companies.

APPENDIX 9

INDIVIDUAL STATE RESOURCES

The following entries contain addresses and phone numbers for contacts at the state level that may be useful in providing PRP information. These include secretary of state offices, state security commissions, state land management agencies, state environmental agencies, state geological surveys, and the relevant state business or mining directories.¹⁴

Alabama

Office of Secretary of State
Corporation Division
P.O. Box 5616
Montgomery, AL 36103
(P) 334-242-5324
(F) 334-242-7200

Alabama Securities Commission
RSA Plaza
770 Washington Ave., Suite 570
Montgomery, AL 36130-4700
(P) 334-242-2984

Alabama Department of Archives and History
624 Washington Avenue
Montgomery, AL 36130
(P) 334-242-4363
<http://www.asc.edu/archives/agis.html>

Department of Environmental Management
1751 Cong. W.L. Dickinson Drive
P.O. Box 301463
Montgomery, AL 36130
(P) 334-271-7700

Conservation and Natural Resources Department
P.O. Box 301450
Montgomery, AL 36103

¹⁴ A particularly useful website that provides access to the websites for many of the offices listed below is Links to Information Across America (<http://mosl.sos.state.mo.us/stateweb.html>). Another useful site with links to state environmental and natural resource agencies is State Geological Surveys and Related Agencies in the United States (<http://www.consrv.ca.gov/dmg/other/index.htm#WY>).

(P) 800 -262-3151

Geological Survey of Alabama
PO Box 0
Tuscaloosa, AL 35486-9780
(P) 205-349-2852
<http://www.gsa.tuscaloosa.al.us/>

Alabama Coal Association
Vestavia Commerce Centre
2090 Columbiana Rd., Suite 2500
Birmingham, AL 35216
(P) 205-822-0384

Alabama Industrial Directory (formerly the Alabama Directory of Mining & Manufacturing - Alabama Development Office (205-242-0471). Biennial. Contains information on the company name, phone number, executives, parent company, and activities in which the company is involved.

Alaska

Department of Commerce and Economic Development
Division of Corporations
P.O. Box 110808
Juneau, AK 99811
(P) 907-465-2530
(F) 907-465-2500

Division of Banking and Securities
333 Willoughby
State Office Building, 9th Floor
Juneau, AK 99811-0807
(P) 907-465-2521

Division of Libraries, Archives and Museums
<http://www.educ.state.ak.us/lam/home.html>

Department of Environmental Conservation
410 Willoughby Avenue, Suite 105
Juneau, AK 99801
(P) 907-465-5065

Department of Natural Resources
400 Willoughby Avenue, 5th Floor
Juneau, AK 99801
(P) 907-465-2400
<http://www.dnr.state.ak.us/>

Division of Geological and Geophysical Surveys
3700 Airport Way
Fairbanks, AK 99709
(P) 907-451-8760
<http://www.avo.alaska.edu/adggs.html>

Mining and Water Management Division
3601 C Street
Suite 858
Anchorage, AK 99503
(P) 907-269-8400
<http://www.dnr.state.ak.us/about.htm#bookmark7>

Alaska s Mineral Industry - Alaska Department of Natural Resources (907-451-5006). Annual. Lists companies that have been issued mining licenses, including information on company name, address, phone number, and key personnel.

Alaska Miners Association - Annual Service Directory - Alaska Miners Association (907-276-0347). Annual. Provides background information on mining companies that are members of the Alaska Miners Association.

Alaska Business License Directory - Alaska Department of Commerce and Economic Development (402-593-4600). Biennial. Lists names, addresses and phone numbers of 32,000 Alaska businesses.

Corporate Directory of State of Alaska - Alaska Department of Commerce and Economic Development (402-593-4600). Annual. Covers domestic and foreign corporations active in Alaska, including information on their date of incorporation in Alaska, state of domicile and name of registered agent.

Alaskan History Homepage:
<http://yukonalaska.miningco.com>
http://www.enet.ca/pathfinder/fv_home.htm

Arizona

Corporation Commission
1300 West Washington Avenue
Room 101
Phoenix, AZ 85007
(P) 602-542-3026
(F) 602-242-2237

Arizona Corporation Commission Securities Division
1300 West Washington Street, 3rd Floor
Phoenix, AZ 85007

(P) 602-542-4242

Department of Environmental Quality
3033 North Central Avenue
Phoenix, AZ 85012
(P) 602-207-2300

Abandoned and Inactive Mine Survey
(P) 602-542-5971

Mines and Mineral Resources Department
(P) 602-542-5971

Arizona Geological Survey
845 North Park Avenue
Room 100
Tucson, Arizona 85719
(P) 602-882-4795
<http://www.azgs.state.az.us/>

Arizona Mining Association
2702 N. 3d Street, Suite 2015
P.O. Box 40952
Phoenix, AZ 85004
(P) 602-266-4416

Directory of Active Mines in Arizona - Arizona Department of Mines & Mineral Resources (602-255-3791). Annual. Describes companies with mining and processing operations in Arizona, including names, addresses, phone numbers, mine locations and names of officers and key personnel.

Arizona Historical Foundation Website:
<http://www.miningrendezvous.com/ammm/index.html>

Arkansas

Secretary of State
Corporation Division
State Capitol Building, Room 58
Little Rock, AR 72201
(P) 501-682-5151
(F) 501-682-1010

Securities Department
Heritage West Building
201 East Markham, 3rd Floor
Little Rock, AR 72201

(P) 501-324-9260

Department of Pollution Control and Ecology
8001 National Drive
P.O. Box 8913
Little Rock, AK 72219
(P) 501-682-0744

Arkansas Geological Commission
Vardelle Parham Geology Center
815 West Roosevelt Road
Little Rock, AR 72204
(P) 501-296-1877
<http://www.kgs.ukans.edu/AASG/arkansas.html>

California

Secretary of State
Corporate Filing Division
1500 11th Street
Sacramento, CA 95814
(P) 916-657-5448
(F) 916-653-6814

Department of Corporation
980 Ninth St., Suite 500
Sacramento, CA 95814
(P) 916-445-3062

Environmental Protection Agency
555 Capitol Mall, Suites 235 and 525
Sacramento, CA 95814
(P) 916-445-3846
<http://www.calepa.ca.gov/>

State Water Resources Control Board
P.O. Box 100
901 P Street
Sacramento, CA 95812
(P) 916-657-1247
<http://www.swrcb.ca.gov/>

Department of Conservation
Division of Mines and Geology
801 K Street, MS 14-33
Sacramento, CA 95814-3533
(P) 916-445-5716

<http://www.consrv.ca.gov>

State Mining and Geology Board
801 K Street, MS 24-05
Sacramento, CA 95814-3505
916-322-1082
<http://www.consrv.ca.gov/smgb/>

Division of Mines and Geology
801 K Street, MS 14-33
Sacramento, CA 95814-3533
916-445-5716
<http://www.kgs.ukans.edu/AASG/california.html>

California Business Register - Database Publishing Co., Inc. (714-778-6400). Annual. Lists 1,271,000 businesses operating in California, and provides information on addresses, phone numbers, number of employees, and sales volume. Volume 1 covers northern California and Volume 2 covers southern California.

Colorado

Secretary of State's Office
1560 Broadway
Suite 200
Denver, CO 80202
(P) 303-894-2200

Division of Securities
1580 Lincoln St., Suite 420
Denver, CO 80203-1506

Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80222
(P) 303-692-2000

Colorado Geological Survey
1313 Sherman St., Room 620
Denver, CO 80203
(P) 303-866-2611
<http://www.dnr.state.co.us/geosurvey/>

Natural Resources Department
(P) 303-866-3311

Colorado Mining Association

1600 Broadway, Suite 1340
Denver, CO 80202-4913

State Historical Society
(P) 303-866-3682

Connecticut

Office of the Secretary of State
Corporation Division
30 Trinity Street
Hartford, CT 06106
(P) 860-566-8570
(F) 860-566-2739

Department of Banking
260 Constitution Plaza
Hartford, CT 06103
(P) 860-240-8299

State Library
231 Capitol Avenue
Hartford, CT 06106
(P) 860-566-4301
<http://www.cslnet.ctstateu.edu/index.htm>

Department of Environmental Protection
79 Elm St.
Hartford, CT 06106
(P) 203-424-3001
<http://www.dep.state.ct.us/>

Delaware

Secretary of State
Division of Corporations
P.O. Box 898
Dover, DE 19903
(P) 302-736-3073
(F) 302-739-3812

Delaware Securities Division
State Office Building
820 North French St., 8th Floor
Wilmington, DE 19801
(P) 302-577-2515

Delaware Public Archives
Hall of Records
121 Duke of York St.
Dover, DE 19901
(P) 302-739-5318
<http://www.lib.de.us/archives/>

Department of Natural Resources and Environmental Control
89 Kings Highway
Dover, DE 19901
(P) 302-739-4403

Delaware Geological Survey
University of Delaware
Newark, DE 19716
(P) 302-451-2833
<http://www.udel.edu/dgs/dgs/html>

Delaware Directory of Commerce and Industry - Delaware State Chamber of Commerce (302-655-7221). Annual. Lists approximately 10,000 companies doing business in Delaware.

District of Columbia

Corporation Records Branch
Business Regulation Administration
Department of Consumer and Regulatory Affairs
614 H Street, N.W.
Room 407
Washington, D.C. 20001
(P) 202-727-7283

Securities Division of the District of Columbia
450 Fifth St., N.W.
Suite 821
Washington, D.C. 20001
(P) 202-626-5105

Florida

Secretary of State
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314
(P) 904-487-6053
(F) 904-488-3680

Department of Banking and Finance
Division of Securities
101 East Gaines St.
Tallahassee, FL 32399-0350
(P) 904-488-9530

Florida Bureau of Archives and Records Management
<http://www.dos.state.fl.us/dlis/barm/archives.html>

Department of Environmental Protection
3900 Commonwealth Blvd.
Mail Station 35
Tallahassee, FL 32399
(P) 904-488-4805

Florida Geological Survey
903 West Tennessee Street
Tallahassee, FL 32304-7795
(P) 904-488-4191
<http://www.dep.state.fl.us/geo/>

Directory of Florida Industries - Florida Chamber of Commerce (904-425-1200). Annual. Covers manufacturing, mining and processing companies with over four employees. Includes name, address, phone number, names of executives, SIC number, and nature of business.

Florida Industries Guide - Industries Guides, Inc. (407-834-8181). Biennial. Lists and describes approximately 10,000 companies incorporated in or having operations in Florida.

Georgia

Secretary of State
Corporations Division
2 M.L. King, Jr. Drive, Suite 315
West Tower
Atlanta, GA 30334
(P) 404-656-2817
(F) 404-488-3680

Securities Division
West Tower, Suite 802
2 Martin Luther King Jr. Dr., S.E.
Atlanta, GA 30334
(P) 404-656-3920

Georgia Department of Archives and History

Ben W. Fortson, Jr. Archives and Records Bldg.
330 Capitol Avenue, S.E.
Atlanta, GA 30334
(P) 404-656-2393
<http://www.sos.state.ga.us/archives/>

Department of Natural Resources
Environmental Protection Division
<http://www.ganet.org/dnr/environ/>

Georgia Geological Survey
19 Martin Luther King, Jr. Dr., S.W., Room 400
Atlanta, GA 30334
(P) 404-656-3214
<http://www.ganet.org/dnr/environ/branches/geosurv/gsnar.htm>

Georgia Mining Association
900 Circle 75 Parkway
Suite 1740
Atlanta, GA 30339
(P) 770-952-7975

Hawaii

Department of Commerce and Consumer Affairs
Business Registration Division
P.O. Box 40
Honolulu, HI 96810
(P) 808-548-2744
(F) 808-586-2727

Corporate & Securities Commission
1010 Richards St.
Honolulu, HI 96813
(P) 808-586-2730

Hawaii State Archives
Department of Accounting and General Services
Kekauluohi Building
Iolani Palace Grounds
Honolulu, HI 96813
<http://www.kumu.icsd.hawaii.gov/dags/archives/welcome.html>

Office of Environmental Quality Control
Department of Health
465 South King Street, Room 4
Honolulu, HI 96813

(P) 808-586-4185

Department of Land and Natural Resources
Division of Water and Land Development
P.O. Box 373
Honolulu, HI 96809
(P) 808-548-7533
<http://www.hawaii.gov/dlnr/>

Idaho

Secretary of State's Office
Corporations Division
State House, Room 203
Boise, ID 83720
(P) 208-334-2300

Idaho Securities Bureau
Department of Finance
Statehouse; 700 West State St.
Boise, ID 83720
Mailing Address:
P.O. Box 83720
Boise, ID 83720-0031
(P) 208-332-8074

Division of Environmental Quality
1410 North Hilton St.
Boise, ID 83706
(P) 208-373-0502

Idaho Historical Society
(P) 208-334-2682

Idaho Geological Survey
Room 332
Morril Hall
Moscow, ID
(P) 208-885-7991
<http://www.uidaho.edu/igs/igs.html>

Illinois

Illinois Secretary of State
Corporation Department
328 Centennial Bldg.
Springfield, IL 62756

(P) 217-782-2201

Illinois Securities Department
Lincoln Tower
520 South Second St., Suite 200
Springfield, IL 62701
(P) 217-782-2256

Illinois State Archives
Margaret Cross Norton Building
Capitol Complex
Springfield, IL 62756
(P) 217-782-4682
http://www.sos.state.il.us/depts/archives/arc_home.html

Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19726
Springfield, Illinois 62794
(P) 217-782-3397

Illinois State Geological Survey
615 East Peabody Drive
Champaign, IL 61820
(P) 217-333-4747
<http://www.isgs.uiuc.edu/isgshome.html>

Directory of Illinois Mineral Producers - Illinois State Geological Survey (217-333-4747). No regular schedule for publication. Provides general information on mineral producers in Illinois.

Historical Preservation Agency
(P) 217-785-4512

Library Services
(F) 217-524-7219

Indiana

Secretary of State
Corporation Division
302 West Washington, Room E-018
Indianapolis, IN 46204
(P) 317-232-6576
(F) 317-232-6531

Securities Division

302 West Washington St.
Room E-111
Indianapolis, IN 46204
(P) 317-232-6688

Indiana Commission on Public Records
State Archives Division
<http://www.ai.org/icpr/webfile/archives/homepage.html>

Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206
317-232-8611

Department of Natural Resources
<http://www.state.in.us/dnr/>

Historical Bureau
(P) 317-232-2535

Indiana Geological Survey
611 North Walnut Grove
Bloomington, IN 47405
(P) 812-335-9350
<http://www.indiana.edu/~igs/>

Directory of Industrial Mineral Producers in Indiana - Indiana Geological Survey (812-855-7636). Biennial. Provides general information on mineral producers in Indiana.

Indiana Coal Council
143 West Market Street, Suite 701
Indianapolis, IN 46204
317-638-6997

Iowa

Corporations Division
Secretary of State
Hoover State Office Bldg., 2d Floor
Des Moines, IA 50319
(P) 515-281-5204

Securities Division
Lucas State Office Bldg., 2nd Floor
Des Moines, IA 50319

(P) 515-281-4441

Environmental Protection Commission
Department of Natural Resources
Henry A. Wallace Bldg.
900 East Grand Avenue
Des Moines, IA 50319
(P) 515-281-5384

Iowa Geological Survey Bureau
123 North Capitol Street
Iowa City, IA 52242
(P) 319-335-1575
<http://www.igsb.uiowa.edu/>

State Historical Society
(P) 515-281-5111

State Archivist
(P) 515-281-8875

Kansas

Secretary of State
Corporation Department
State House
2d Floor
Topeka, KS 66612
(P) 913-296-4564

Kansas Securities Commission
618 S. Kansas Ave., 2nd Floor
Topeka, KS 66603
(P) 913-296-3307

Kansas State Historical Society
6425 SW Sixth Ave.
Topeka, KS 66615-1099
(P) 785-272-8681
<http://www.history.cc.ukans.edu/heritage/kshs/kshs1.html>

Division of Environment
Building 283, Forbes Field
Topeka, KS 66620
(P) 913-296-1535

Kansas Geological Survey

The University of Kansas
1930 Constant Avenue
West Campus
Lawrence, KS 66046
(P) 913-864-3965
<http://www.kgs.ukans.edu/>

Historical Society
(P) 913-272-8681

Kentucky

Secretary of State's Office
Capitol Bldg., Room 150
700 Capitol Avenue
Frankfort, KY 40601-3493
(P) 502-564-3490

Kentucky Securities Commission
477 Versailles Rd.
Frankfort, KY 40601
(P) 502-573-3390

Kentucky Department for Libraries and Archives
300 Coffee Tree Road
P.O. Box 537
Frankfort, KY 40602
(P) 502-564-8300
<http://www.kdla.state.ky.us/>

Natural Resources and Environmental Protection Cabinet
Capital Plaza Tower
Fifth Floor
Frankfort, KY 40601
(P) 502-564-3350

Kentucky Geological Survey
University of Kentucky
228 Mining and Mineral Resources Bldg.
Lexington, KY 40506
(P) 606-257-5500
<http://www.uky.edu/KGS/home.htm>

Kentucky Coal Association
340 South Broadway, Suite 100
Lexington, KY 40508
(P) 606-233-4743

Directory of Industrial and Metallic Mineral Producers in Kentucky - Kentucky Geological Survey (606-257-5500). No regular schedule for publication. Provides general information on mineral producers in Kentucky.

Kentucky Department of Mines and Minerals - Report - Kentucky Department of Mines and Minerals (606-246-2026). Annual. Provides general information on coal mines in Kentucky.

Louisiana

Secretary of State
Corporation Division
P.O.Box 94125
Baton Rouge, LA 70804-9125
(P) 504-925-4704
(F) 504-922-1000

Louisiana Commission of Securities
1100 Poydras St., Suite 2250
New Orleans, LA 70163
(P) 504-568-5515

Office of the Secretary
Department of Environmental Quality
P.O. Box 82263
Baton Rouge, LA 70884
(P) 504-765-0741

Louisiana Department of Natural Resources
Office of Mineral Resources
P.O. Box 2827
Baton Rouge, LA 70804-2827
(P) 504-342-4615
<http://www.dnr.state.la.us/>

Louisiana Geological Survey
Department of Natural Resources
P.O. Box G
University Station
Baton Rouge, LA 70893
(P) 504-388-5320
<http://www.leeric.lus.edu/lgs/>

Maine

Secretary of State

Corporation Division
101 State Office Station
Augusta, ME 04333
(P) 207-289-3676
(F) 207-626-8400

State of Maine Securities Division
121 State House Station
Augusta, ME 04333-0121
(P) 207-624-8551

Maine State Archives
84 State House Station
Augusta, ME 04333
(P) 207-287-5790
<http://www.state.me.us/sos/arc/general/admin/mawww001.htm>

Department of Environmental Protection
State House Station 17
Augusta, ME 04333
(P) 207-287-7688

Maine Geological Survey
Maine Department Of Conservation
State House Station 22
Augusta, ME 04333
(P) 207-289-2801
<http://www.state.me.us/doc/nrimc/mgs/mgs.htm>

Maryland

Corporate Charter Division
State Department of Assessments and Taxation
301 West Preston Street, Room 809
Baltimore, MD 21201
(P) 410-767-1340
(F) 410-974-5521

Maryland Division of Securities
Office of the Attorney General
200 St. Paul Place, 20th Floor
Baltimore, MD 21202-2020
(P) 410-576-6360

Maryland State Archives
<http://www.mdarchives.state.md.us/>

Department of the Environment
2500 Broening Highway
Baltimore, MD 21224
(P) 410-631-3000

Maryland Coal Association
59 East Main Street
Frostburg, MD 21532
(P) 301-689-6609

Directory of Mineral Producers in Maryland - Maryland Geological Survey (410-554-5505). No regular schedule for publication. Covers mining companies located in Maryland, including name, address, phone number and nature of business.

Massachusetts

Office of the Secretary of the Commonwealth
Corporations Division
1 Ashburton Place
Boston, MA 02108
(P) 617-727-9640
(F) 617-727-7030

Massachusetts Securities Division
John W. McCormack Bldg.
One Ashburton Place, Room 1701
Boston, MA 02108
(P) 617-727-3548

Massachusetts Archives Division
<http://www.magnet.state.ma.us/sec/arc/arcidx.htm>

Department of Environmental Protection
One Winter Street
Boston, MA 02108
(P) 617-292-5500

Michigan

Department of Consumer and Industry Services
Corporation and Securities Bureau
Corporation Division
P.O. Box 30054
Lansing, MI 48909
(P) 517-334-6206
(F) 517-322-1460

Corporation and Securities Bureau
6546 Mercantile Way
P.O. Box 30222
Lansing, MI 48909
(P) 517-334-6215

State Archives of Michigan
<http://www.sos.state.mi.us/history/archive/archive.html>

Department of Environmental Quality
P.O. Box 30473
Lansing, MI 48909
(P) 517-373-7023
<http://www.deq.state.mi.us/gsd/>

Michigan Geological Survey
P.O. Box 30028
Lansing, MI 48909

Michigan Historical Center
(P) 517-373-6362

Minnesota

Secretary of State
Corporation Division
State Office Bldg., Room 180
St. Paul, MN 55155
(P) 612-296-2803

Department of Commerce
133 East Seventh St., 2nd Floor
St. Paul, MN 55101
(P) 612-296-2283

Minnesota Historical Society
345 Kellogg Blvd. West
St. Paul, MN
(P) 651-296-6126
<http://www.mnhs.org/>

Minnesota Pollution Control Agency
Suite 900 NCL Tower
445 Minnesota Street
St. Paul, MN 55101
(P) 612-296-6300

Minnesota Department of Natural Resources
500 Lafayette Rd.
St. Paul, MN 55155
(P) 612-296-6157

Historical Society
(P) 612-296-2747

Minnesota Geological Survey
School of Earth Sciences
University of Minnesota
2642 University Avenue
St. Paul, MN 55114
(P) 612-627-4780
<http://www.geo.umn.edu/mgs/>

Mississippi

Secretary of State's Office
P.O.Box 136
Jackson, MS 39205-0136
(P) 601-359-6338
(F) 601-359-1350

Securities Division
P.O. Box 136
Jackson, MS 39205
(P) 601-359-6364

Mississippi Department of Archives and History
P.O. Box 571
Jackson, MS 39205
(P) 601-359-6850
<http://www.mdah.state.ms.us/>

Office of Pollution Control
Department of Environmental Quality
Southport Center
2380 Highway 80 West
P.O. Box 10385
Jackson, MS
(P) 601-961-5171

Office of Geology
Mississippi Department of Environmental Quality
P.O. Box 20307
Jackson, MS 39289-1307

(P) 601-961-5500

Archives and History Department
(P) 601-359-6850

Missouri

Secretary of State
Corporate Division
P.O. Box 778
Jefferson City, MO 65102
(P) 573-751-4936

Securities Division
Missouri State Information Center
600 West Main St., 2nd Floor
P.O. Box 1276
Jefferson City, MO 65102
(P) 573-751-2302

Missouri State Archives
State Information Center
P.O. Box 778
Jefferson City, Missouri 65102
(P) 573-751-7333
<http://www.mosl.sos.state.mo.us/rec-man/arch.html>

Division of Environmental Quality
Department of Natural Resources
P.O. Box 176
Jefferson State Office Bldg.
Jefferson City, MO 65102
(P) 314-751-6892

Geology and Land Survey Division
111 Fairgrounds Road
Buehler Park
Rolla, MO 65401
(P) 314-364-1752

Mining Industry Council of Missouri
P.O. Box 725
Jefferson City, MO
65102
(P) 314-635-7308

Tri-State Coal Operators Association, Inc.

P. O. Box 259
Kingwood, West Virginia 26537
(P) 304-329-0976

Montana

Secretary of State
Business Services
State Capitol, Room 225
Helena, MT 59620
(P) 406-444-3665
(F) 406-444-2034

Montana Securities Department
Mitchell Building, Room 270
126 North Sanders St.
Helena, MT 59620
Mailing address:
P.O. Box 4009
Helena, MT 59604-4009
(P) 406-444-2040

Montana Historical Society
225 North Roberts
Helena, MT 59620
(P) 406-444-2694
<http://www.his.mt.gov/html/front.html>

Department of Environmental Quality
1520 East Sixth Avenue
P.O. Box 200901
Helena, MT 59620
(P) 406-444-2544

Montana Bureau of Mines and Geology
Montana College of Mineral Science
West Park Street
Butte, MT 59701
(P) 406-496-4181
<http://www.mbmgsun.mtech.edu/mbmg.htm>

Historical Society
(P) 406-444-2694

State Archivist
(P) 406-444-4775

State Library and Archives
(P) 406-444-4787

Montana Coal Council
2301 Colonial Drive
Helena, MT 59601

Montana Mining Directory - Montana Bureau of Mines and Geology (406-496-4174). Annual. Provides a description of mining companies currently active in Montana, including company name, address, and company contact person.

Nebraska

Secretary of State
Corporation Division
1301 State Capitol
P.O. Box 94608
Lincoln, NE 68509
(P) 402-471-4079
(F) 402-471-2554

Nebraska Securities Bureau
Department of Banking & Finance
1200 North St., Suite 311
P.O. Box 95006
Lincoln, NE 68509-5006
(P) 402-471-3445

Department of Environmental Quality
1200 N Street, Suite 400
P.O. Box 98922
Lincoln, NE 68509
(P) 402-471-2186

Institute of Agriculture and Natural Resources
Conservation and Survey Division
University of Nebraska-Lincoln
113 Nebraska Hall
Lincoln, NE 68588
(P) 402-472-3471

Historical Society
(P) 402-471-3270

Nevada

Secretary of State

Capitol Complex
5151 South Carson Street
Carson City, NV 89710
(P) 702-486-2440
(F) 900-535-3355
<http://sos.state.nv.us/>

Nevada Securities
555 E. Washington Ave., Suite 5200
Las Vegas, NV 89101
(P) 702-486-2440

Nevada State Library and Archives
708 North Curry Street
Carson City, NV 89703
(P) 775-687-5160
www.clan.lib.nv.us

Division of Environmental Protection
Department of Conservation and Natural Resources
333 West Nye Lane
Room 138
Carson City, NV 89710
(P) 702-687-4670
<http://ndep.state.nv.us/>

Division of Minerals
Commission on Mineral Resources
400 West King Street
Suite 106
Carson City, NV 89703
(P) 775-684-7040
<http://minerals.state.nv.us/>

Bureau of Mines and Geology
University of Nevada - Reno
Reno, NV 89557-0088
(P) 702-784-6691
www.nbmgs.unr.edu/

Nevada Mining Association
5250 South Virginia Street, Suite 220
Reno, NV 89502-6046
www.nevadamining.org

Museums and History Admin.
(P) 702-687-4811

<http://dmla.clan.lib.nv.us/>

New Hampshire

Secretary of State
Corporation Division
State House, Room 204
107 North Main Street
Concord, NH 03301
(P) 603-271-3242
(F) 603-271-3244

Bureau of Securities Regulation
State House, Room 204
107 North Main St.
Concord, NH 03301-4989
(P) 603-271-1463
<http://webster.state.nh.us/sos/securities/>

New Hampshire Division of Records Management and Archives
71 South Fruit Street
Concord, New Hampshire 03301
(P) 603-271-2272
www.state.nh.us/state/archives

Department of Environmental Services
P.O. Box 2008
64 North Main St.
Concord, NH 03302
(P) 603-271-1370
www.des.state.nh.us/

Historical Records
(P) 603-271-2236

New Jersey

Secretary of State
Division of Commercial Recording
CN 308
Trenton, NJ 08625
(P) 609-530-6400
(F) 609-984-1900

Bureau of Securities
Gibraltar Bldg.
153 Halsey St., 6th Floor

Newark, NJ 07102
(P) 201-504-3600
New Jersey Division of Archives and Records Management
<http://www.state.nj.us/state/darm/darm.html>

Department of Environmental Protection and Energy
401 East State Street, P.O. Box 402
Trenton, NJ 08625
(P) 609-292-2885

Historical Commission
(P) 609-292-2579

New Mexico

Secretary of State's Office
1120 Paseo de Peralta
Santa Fe, NM 87501
(P) 505-827-4504
(F) 505-827-3634

New Mexico Securities Division
725 St. Michaels Dr.
Santa Fe, NM 87501
Mailing Address:
P.O. Box 25101
Santa Fe, NM 87504
(P) 505-827-7140

New Mexico Environment Department
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502
(P) 505-827-2850
www.nmenv.state.nm.us/

Bureau of Mines and Mineral Resources
801 Leroy Place
Socorro, NM 87801-4796
(P) 505-835-5420
<http://geoinfo.nmt.edu/>

Energy, Minerals and Natural Resources Department
(P) 505-827-5950
www.emrd.state.nm.us/

New Mexico Mining Museum Website

<http://www.grants.org/toc/culture.htm#Museums>

New York

Department of State
Division of Corporations
162 Washington Avenue
Albany, NY 12231
(P) 518-473-2492
(F) 518-474-4750
www.dos.state.ny.us/corp/corpwww.html

New York Bureau of Investment
Protection and Securities
120 Broadway
23rd Floor
New York, NY 10271
(P) 212-416-8222

New York State Archives and Records Administration
www.archives.nysed.gov/

Department of Environmental Conservation
50 Wolf Road
Albany, NY 12233
(P) 518-457-5400
<http://www.dec.state.ny.us/>

New York State Geological Survey
3136 Cultural Education Center
Albany, NY 12230
(P) 518-474-5816
<http://www.nysm.nysed.gov/geology.html>

North Carolina

Secretary of State
Corporation Department
300 North Salisbury Street
Raleigh, NC 27603
(P) 919-733-4201
www.secstate.state.nc.us/

North Carolina Securities Division
Office of the Secretary of State
300 North Salisbury St., Room 302
Raleigh, NC 27603

(P) 919-733-3924

North Carolina Division of Archives and History
<http://www.ah.dcr.state.nc.us/>

Department of Environment, Health and Natural Resources
P.O. Box 27687
512 North Salisbury St.
Raleigh, NC 27611
(P) 919-733-4984
<http://www.ehnr.state.nc.us/EHNR/>

Geological Survey Section
Division of Land Resources
North Carolina Department of Environment, Health and Natural Resources
P.O. Box 27687
Raleigh, NC 27611
(P) 919-733-3833
<http://www.enr.state.nc.us/>

North Dakota

Secretary of State
Corporation Department
600 East Boulevard Avenue
Bismarck, ND 58505
(P) 701-328-2900

North Dakota Securities Commission
State Capitol Building
600 East Boulevard Avenue, 5th Floor
Bismarck, ND 58505
(P) 701-328-2910

State Archives and Historical Research Library
612 East Boulevard Avenue
Bismarck, ND 58505
(P) 701-328-2091
<http://www.state.nd.us/hist/>

Environmental Health Section
Department of Health
1200 Missouri Avenue
P.O. Box 5520
Bismarck, ND 58506
(P) 701-328-5150

North Dakota Geological Survey
University Station
Grand Forks, ND 58202
(P) 701-777-2231
<http://www.state.nd.us/ndgs/>

State Archives and Historical Research Library
(P) 701-328-2668
(P) 701-328-2900
<http://www.state.nd.us/hist.sal.htm>

Ohio

Secretary of State
Corporation Division
State Office Tower, 14th Floor
30 East Broad Street
Columbus, OH 43266-0418
(P) 614-466-3910
(F) 614-466-4980

Ohio Securities Commission
77 South High St., 22nd Floor
Columbus, OH 43215
(P) 614-644-7465

Ohio Environmental Protection Agency
1800 Watermark Drive
P.O. Box 1049
Columbus, OH 43216
(P) 614-644-3020

Division of Geological Survey
Ohio Department of Natural Resources
Fountain Square, Building B
Columbus, OH 43224
(P) 614-265-6605

Historical Archives - Library
(P) 614-297-2500

Oklahoma

Secretary of State
Corporate Records
101 State Capitol Building
Oklahoma City, OK 73105

(P) 900-820-2424
(F) 405-521-3048

Oklahoma Department of Securities
First National Center
120 North Robinson, Suite 860
Oklahoma City, OK 73102
(P) 405-280-7701

Department of Environmental Quality
1000 N.E. 10th Street
Oklahoma City, OK 73117
(P) 405-271-8056

Oklahoma Geological Survey
University of Oklahoma
830 Van Vleet Oval, Room 163
Norman, OK 73019
(P) 405-325-3031
<http://www.uoknor.edu/special/ogs>

Oregon

Corporations Division
255 Capitol Street, N.E.
Suite 151
Salem, OR 97310
(P) 503-986-2200
(F) 503-986-1500

Oregon Securities Commission
Department of Consumer and Business Services
Division of Finance and Corporate Securities
350 Winter Street, NE
Room 21
Salem, OR 97302
(P) 503-378-4387

Oregon State Archives
<http://arcweb.sos.state.or.us/>

Oregon State University Archives
<http://www.orst.edu/Dept/archives/index.html>

Department of Environmental Quality
811 S.W. Sixth Avenue
Portland, OR 97204

(P) 503-229-5696

Department of Geology and Mineral Industries
910 State Office Building
1400 SW Fifth Avenue
Portland, OR 97201
(P) 503-229-5580
<http://www.sarvis.dogami.state.or.us/homepage/>

Eastern Oregon Mining Association
P.O. Box 932
Baker City, OR 97814
(P) 541-276-8807
www.eoma.org

Directory of Mineral Producers in Oregon - Oregon Department of Geology and Mineral Industries (503-731-4100). No regular schedule for publication. Describes mineral producers in Oregon and lists mine production and exploration sites in the state.

Pennsylvania

Department of State
Corporation Bureau
North Office Building, Room 308
Harrisburg, PA 17120
(P) 717-787-2415
(F) 717-787-7630

Pennsylvania Securities Commission
1010 N. 7th St.
Eastgate Office Building, 2nd Floor
Harrisburg, PA 17102
(P) 717-787-5675

Pennsylvania State Archives
PO Box 1026
Attn: WWW
Harrisburg, PA 17108-1026
(P) 717-783-3281
http://www.state.pa.us/PA_Exec/Historical_Museum/DAM/psa.htm

Department of Environmental Protection
P.O. Box 8464
Market Street
Rachel Carson State Office Building
Harrisburg, PA 17105

(P) 717-783-2300

Bureau of Topographic and Geologic Survey
Department of Environmental Resources
P.O. Box 2357

Harrisburg, PA 17120

(P) 717-787-2169

<http://www.dcnr.state.pa.us/dcnr/deputate/topogeo/default.htm>

Pennsylvania Coal Association
212 North Third Street, Suite 102
Harrisburg, PA 17101
(P) 717-233-7909

Rhode Island

Secretary of State
Corporations Divisions
100 N. Main Street
Providence, RI 02903
(P) 401-277-3040
(F) 401-277-2357

Department of Business Regulation
233 Richmond St., Suite 232
Providence, RI 02903-4232
(P) 401-277-3048

Department of Environmental Management
385 Promenade St.
Providence, RI 02908
(P) 401-277-2771

Rhode Island Geological Survey
Department of Geology
University of Rhode Island
Kingston, RI 02881
(P) 401-792-2265
<http://www.uri.edu/cels/gel/rigs.html>

South Carolina

Secretary of State
Corporation Division
P.O. Box 11350
Columbia, SC 29211

(P) 803-734-2158
(F) 803-734-2170

Office of the Attorney General
Securities Section
Rembert C. Dennis Office Bldg.
1000 Assembly St.
Columbia, SC 29202
(P) 803-773-4013

South Carolina Archives and History Center
8301 Parklane Road
Columbia, SC 29223
(P) 803-896-6100
<http://www.state.sc.us/scdah/>

Department of Health and Environmental Control
Office of Environmental Quality Control
2600 Bull Street
Columbia, South Carolina 29201
(P) 803-734-5360
www.scdhec.net/eqc/

South Carolina Geological Survey
5 Geology Road
Columbia, SC 29210
(P) 803-737-9440
<http://www.water.dnr.state.sc.us/geology/geology.html>

South Dakota

Secretary of State
Corporation Division
500 East Capitol Avenue, Suite B-05
Pierre, SD 57501
(P) 605-773-4845
(F) 605-773-3537

South Dakota Securities Commission
Division of Securities
Capitol Bldg.
118 W. Capitol Ave.
Pierre, SD 57501
(P) 605-773-4013

Division of Environmental Services
Department of Environment and Natural Resources

Joe Foss Bldg.
523 East Capitol St.
Pierre, SD 57501
(P) 605-773-3151

South Dakota Geological Survey
Department of Water and Natural Resources
Science Center
University of South Dakota
Vermillion, SD 57069
(P) 605-677-5227
<http://www.state.sd.us/state/executive/denr/denr.html>

Minerals and Mining Program
(P) 605-773-4201

Tennessee

Secretary of State
Corporate Division
James K. Polk Building, 18th Floor
Nashville, TN
37243-0306
(P) 615-741-0537

Tennessee Securities Division
Davey Crockett Bldg., Suite 680
500 James Robertson Parkway
Nashville, TN 37243-0583
(P) 615-741-5905

Tennessee State Library and Archives
<http://www.state.tn.us/sos.statelib/tslahome.htm>

Bureau of Environment
Department of Environment and Conservation
Life & Casualty Tower, 21st Floor
401 Church St.
Nashville, TN
37243
(P) 615-532-0554
<http://www.state.tn.us/environment/>

Tennessee Division of Geology
401 Church Street
Nashville, TN 37243-0445
(P) 615-532-1500

<http://www.state.tn.us/environment/tdg/index.html>

Texas

Secretary of State
Corporations Division
P.O. Box 13697
Austin, TX 78711
(P) 512-463-5555
(F) 512-463-5701

State Securities Board
200 E, 10th St., 5th Floor
Austin, TX 78701
(P) 512-305-8300

Texas State Archives
<http://www.tsl.state.tx.us/lobby/>

Texas Bureau of Economic Geology
University of Texas at Austin
University Station, Box X
Austin, TX 78713
(P) 512-471-1534
<http://www.utexas.edu/depts/beg/>

Utah

Corporations Division
Department of Commerce
160 East 300 South, 2d Floor
Salt Lake City, UT 84111
(P) 801-530-4849
(F) 801-530-6955
www.commerce.state.ut.us/corporat/corpcoc.htm

Securities Division
Department of Commerce
160 East 300 South
Salt Lake City, UT 84110
(P) 801-530-6600
www.commerce.state.ut.us/securit

Department of Environmental Quality
168 North 1950 (Bldg. #1)
P.O. Box 144820
Salt Lake City, UT 84114

(P) 801-536-4400
www.eq.state.ut.us

Utah Geological Survey
606 Black Hawk Way
Salt Lake City, UT 84108-840
(P) 801-581-6831
www.ugs.state.ut.us

Community and Economic Development Department, State History
(P) 801-533-3500
www.dced.state.ut.us/history

Utah Mining Association
136 South Main Street, Suite 825
Salt Lake City, UT 84101
www.utahmining.org

Division of Oil, Gas and Mining
Department of Natural Resources
(P) 801-538-5340
<http://dogm.nr.state.ut.us/>

Vermont

Secretary of State
Corporations Division, Heritage 1
109 State Street
Montpelier, VT 05602
(P) 802-828-2386
(F) 802-828-2363
www.sec.state.vt.us

Department of Banking, Insurance, Securities and Health Care Admin.
Securities Division
89 Main St., Drawer 20
Montpelier, VT 05620
(P) 802-828-3301
www.bishca.state.vt.us

Vermont State Archives
<http://vermont-archives.org>

Agency of Natural Resources
103 South Main Street
Waterbury, VT 05671
(P) 802-241-3600

<http://www.anr.state.vt.us/>

Office of the State Geologist
Agency of Natural Resources
103 South Main Street
Center Building
Waterbury, VT 05676
(P) 802-244-5164
<http://www.anr.state.vt.us/vgs.htm>

Virginia

State Corporation Commission
Clerk s Office
P.O. Box 1197
Richmond, VA 23209
(P) 804-371-9733
(F) 804-786-2441
www.state.va.us/scc

Virginia Division of Securities
1300 E. Main St.
Richmond, VA 23209
Mailing Address:
P.O. Box 1197
Richmond, VA 23218
(P) 804-371-9187
www.state.va.us/scc/division/srf

Library of Virginia
800 East Broad Street
Richmond, VA 23219
(P) 804-692-3500
<http://leo.vsla.edu/lva/lva.html>

Department of Environmental Quality
P.O. Box 10009
Richmond, VA 23240
(P) 804-698-4000
www.deq.state.va.us

Virginia Division of Mineral Resources
Department of Mines, Minerals and Energy
P.O. Box 3667
Charlottesville, VA 22903
www.mme.state.va.us

Virginia Coal Association
Old City Hall, Suite 425
1001 East Broad Street
Richmond, VA 23219
(P) 804-643-6697

Directory of the Mineral Industry in Virginia (formerly Directory of Mineral Producers) - Virginia Department of Mines, Minerals, and Energy (804-293-5121). No regular schedule for publication. Covers approximately 250 producers and processors of minerals, with the exception of coal mines. Provides company name and address and type of mining.

Virginia Industrial Directory - Virginia Chamber of Commerce (804-644-1607) - Annual. Provides background information (address, personnel, parent company etc.) of approximately 6,000 mining and manufacturing companies based or incorporated in Virginia.

Washington

Secretary of State
Corporations Division
P.O. Box 40234
Olympia, WA 98504
(P) 360-753-7115
(F) 360-753-7121
www.secstate.wa.gov

Department of Financial Institutions
Securities Division
P.O. Box 9033
Olympia, WA 98507
(P) 360-902-8760
www.wa.gov/dfi/securities

Department of Ecology
P.O. Box 47600
Olympia, WA 98501
(P) 360-407-6000
www.ecy.wa.gov

Division of Geology and Earth Resources
Department of Natural Resources
Olympia, WA 98504
(P) 206-459-6372
www.wa.gov/dnr.htdocs.ger.ger.html

Northwest Mining Association

10 North Post, Suite 414
Spokane, WA 99201-0772
(P) 509-624-1158
www.nwma.org

West Virginia

Secretary of State's Office
Corporation Division
State Capitol Bldg.
Building 1, Room 139
Charleston, WV 25305
(P) 304-558-6000
www.state.wv.us/sos

West Virginia Securities Commission
Securities Division
State Capitol Bldg.
1900 Kanawha Blvd., East
Room 118 West
Charleston, WV 25305
(P) 304-558-2257

Archives and History Library
Cultural Center
1900 Kanawha Boulevard
Charleston, WV 25305
www.wvlc.wvnet.edu/history/wvsamenu

Department of Environmental Protection
10 McJunkin Road
Nitro, WV 25143
(P) 304-759-0515
www.dep.state.wv.us

West Virginia Geological Survey
Mont Chateau Research Center
P.O. Box 879
Morgantown, WV 26507-0879
(P) 304-594-2331
<http://www.wvgs.wvnet.edu/>

Abandoned Mine Lands and Reclamation Office
(P) 304-759-0521
www.dep.state.wv.us/aml

Tri-State Coal Operators Association, Inc.

P. O. Box 259
Kingwood, West Virginia 26537
(P) 304-329-0976

West Virginia Coal Association
1301 Laidley Tower
Charleston, WV 25301
(P) 304-342-4153
www.wvcoal.com

Annual Report - Directory of Mines (formerly West Virginia Department of Mines Report; West Virginia Division of Energy - Directory of Mines) - West Virginia Office of Miners Health, Safety and Training (304-558-1425). Annual. Listing of underground and surface mines in West Virginia, with descriptions of company names of owners, address, production figures and accident statistics.

West Virginia Mineral Industries Directory (formerly West Virginia Mineral Producers and Processors Directory) - West Virginia Geological and Economic Survey (304-594-2231). Biennial. Lists approximately 2,000 mineral producers operating in West Virginia.

West Virginia Histories Homepage - <http://www.clearlight.com/~wvhh>

Wisconsin

Secretary of State
Corporate Division
P.O. Box 7846
Madison, WI 53707
(P) 608-266-3590
(F) 608-366-8888

Office of the Commissioner of Securities
101 E. Wilson St., 4th Floor
Madison, WI 53703
Mailing Address:
P.O. Box 1768
Madison, WI 53703-1768
(P) 608-266-3431

State Historical Society of Wisconsin Archives
<http://www.shsw.wisc.edu/archives/>

Wisconsin Department of Natural Resources
101 South Webster St.
P.O. Box 7921
Madison, WI 53707

(P) 608-266-2621
www.dnr.state.wi.us

Wisconsin Geological Survey
University of Wisconsin
3817 Mineral Point Road
Madison, WI 53705
(P) 608-262-1705
www.uwex.edu/wgnhs/

Wyoming

Secretary of State
Corporations Division
State Capitol Building, Room 110
Cheyenne, WY 82002
(P) 307-777-7311
(F) 307-777-7378

Securities Division
Secretary of State
24th and State Capitol Ave.
Cheyenne, WY 82002
(P) 307-777-7370

Department of Environmental Quality
122 West 25th St.
Cheyenne, WY 82002
(P) 307-777-7937

Geological Survey of Wyoming
Box 3008
University Station
Laramie, WY
(P) 307-766-2286
<http://www-wwrc.uwyo.edu/wrds/wsgs/>

Abandoned Mine Land Div.
(P) 307-777-6145

Wyoming Mining Association
1700 West Lincolnway
P.O. Box 866
Cheyenne, WY 82003
(P) 307-635-0331

International Archive of Economic Geology Website: www.uwyo.edu

Canada - Federal Corporations

Industry Canada
Corporations Directorate
365 Laurier Avenue West
9th Floor, Journal Tower South
Ottawa, Ontario K1A 0C8
(P) 613-941-0601

Alberta

Alberta Municipal Affairs
Corporate Registry
P.O. Box 1007, Main Post Office
Edmonton T5J 4W6
(P) 403-427-2311
(F) 403-422-1091

Corporate search services are also provided by calling 800-465-2362.

British Columbia

Ministry of Finance and Corporate Relations
Corporate and Personal Property Registries
PO Box 9431
Station Provincial Govt.
Victoria, BC V8W 9V3
(P) 250-387-5101

B.C. Archives and Records Service
655 Belleville Street
Victoria, BC V8V 1X4
(P) 604-387-1952

Corporate search services are also available by calling BC Online (800-663-6102).

For companies that are or have been traded on the Vancouver Stock Exchange, Stock Exchange representatives can tell callers if a company has undergone a name change or a merger. The phone number for contacting a public information officer at the Vancouver Stock Exchange is 604-689-3334 (ext. 2287).

Manitoba

Companies Office
Offices des Compagnies
Woodsworth Bldg.

Room 1010, 405 Broadway
Winnipeg R3C 3L6
(P) 204-945-2500
(F) 204-945-1459

New Brunswick

Department of Justice
Corporate Affairs
P.O. Box 6000, Centennial Bldg.
Fredericton E3B 5H1
(P) 506-453-2703
(F) 506-453-2703

Newfoundland

Department of Government Services and Lands
Commercial Registrations Division
Registry of Deeds and Companies
P.O. Box 8700
St. John s A1B 4J6
(P) 709-729-3317
(F) 709-729-0232

Nova Scotia

Department of Business and Consumer Services
Registry of Joint Stock Companies
P.O. Box 1529
Halifax B3J 2Y4
(P) 902-424-7770
(F) 902-424-4633

Ontario

Ministry of Consumer and Commercial Relations
200, 393 University Avenue
Toronto M5G 2M2
(P) 416-314-8880
(F) 416-314-0102

Records are available from Cyberbahn, Inc. (416-595-9522) or Oncorp Direct Inc.
(416-964-2677)

Prince Edward Island

Consumer, Corporate and Insurance Division

Shaw Building
95 Rockford St. 4th Floor
PO Box 2000
Charlottetown PE C1A 7NB
(P) 902-368-5283
(F) 902-368-5283

Quebec

Direction des Entreprises
800 place d Youville
63 etage
Ville de Quebec G1R 4Y5
(P) 418-643-3625
(F) 418-646-9660

Saskatchewan

Corporations Branch
1871 Smith Street
Regina S4P 3V7
(P) 306-787-2962
(F) 306-787-8999

Yukon

Department of Justice Corporate Affairs
Box 2703
Whitehorse Y1A 2C6
(P) 867-667-5442
(F) 867-393-5442

APPENDIX 10

Draft Statement of Work (e.g., Forest Service)

Introduction

This Statement of Work (SOW) provides an outline of the assistance that the United States Department of Agriculture, Forest Service (Forest Service) requires in identifying Potentially Responsible Parties (PRPs) for the Sites described in Appendix A. The Contractor will ultimately prepare an Operational History and PRP Search Report for each of these Sites.

In general, under this SOW, the Contractor shall identify the parties that may be responsible for the ownership and operation of the Sites, as well as the parties responsible for the generation, transportation or disposal of hazardous substances at the Sites. The Contractor shall determine the dates that operations or related activities were conducted at the Sites, provide information on the nature of these activities, and identify the dates that the hazardous substances were transported to and/or disposed of at the Sites. The following SOW addresses these tasks and outlines the work that is to be performed.

The USDA PRP Search Guide, is to be used as guidance by the Contractor in performing this work.

The Contractor shall not initiate any task contained within the SOW without first obtaining the approval of the Forest Service Contracting Officer's Representative. The Contractor will not initiate any other tasks not specifically identified in this SOW.

TASK 1 PROJECT MANAGEMENT

The Contractor shall perform the following project management tasks:

- Attend an informational conference call with Forest Service personnel in order to discuss the Sites prior to development of the Work Plan and Cost Estimate.
- Develop a Work Plan and Cost Estimate and submit it to the Forest Service for review prior to commencement of the work.
- Conduct a Conflict of Interest screen to ensure that no conflicts exist and continue these screens throughout the duration of this work.
- Attend periodic meetings with Forest Service personnel to discuss case strategies.

TASK 2 RECORD REVIEW and HISTORICAL RESEARCH

The Contractor shall review, if applicable, prior PRP search actions or files prepared for the Sites in order to gain familiarity with the Sites and ensure that previous search work is not duplicated.

The Contractor will review Site files contained within the Forest Service files, and identify and photocopy Site-related documents that can be used in PRP identification, establishment of liability, and determination of the extent and nature of contamination. The Forest Service will conduct a search for archived records related to the Site, and will make the results of that search available to the Contractor. The Contractor shall obtain approval from the Forest Service prior to copying documents, and shall inform the Forest Service of the volume of documents that will be copied.

The Contractor shall conduct a file review of the files of other Federal, state agencies and appropriate county and municipal governments for information pertaining to each Site. These sources shall include, but shall not be limited to:

- EPA Files
- DOI, OSM files
- BLM (or the files of predecessor agencies) Files
- USGS Files
- State Environmental Protection or Land Management Agency Files
- State Geological Survey Records
- County Land Use Records

The contractor shall also conduct historical research on operations at the Site, consulting resources such as:

- Local Newspapers
- Mining Journals and Periodicals
- Mining Industry Trade Publications
- State Historical Society Files

All records collected from these government and historical sources shall be reviewed and analyzed by the Contractor.

TASK 3 TITLE SEARCH

The Purpose of the title search is to determine ownership interests in the Sites and to supplement any prior title search work that has been conducted. The title search shall span from the date of first known mining activity at each site to the present.

Before beginning the title search, the Contractor shall review relevant EPA or State files for site location, site description, and any prior title search work that has been conducted. The title search shall review the title records of the local or county government office responsible for maintaining such records. For mine sites, the title

search shall include a review of the records of the Bureau of Land Management and the General Land Office in order to identify leases and unpatented and patented mining claims.

Copies of all title documents shall be obtained and submitted as part of the Appendix to the PRP Search Report. These documents shall include, but shall not be limited to, deeds, mortgages, leases, liens, quit claims, covenants and easements for the property that is located within the boundaries of each Site.

The Contractor shall report the results of its research in the PRP Search Report. A title tree shall be included, and a title abstract that delineates dates of ownership also shall be prepared.

TASK 4 OPERATIONAL HISTORY

From the Contractor's conferences with the Forest Service, the Record Review (Task 2) and Title Search (Task 3), the Contractor shall develop and draft an Operational History of each Site. The Operational History shall be drafted in narrative format and shall be included in the Operational History and PRP Search Report as Section II.A. (See Appendix B to this SOW.)

From the Operational History and the Title Search, the Contractor shall identify potentially responsible parties associated with each site. In identifying PRPs, the Contractor shall include:

1. Past and current owners.
2. Past and current operators.
3. Transporters individuals or entities who may have transported hazardous substances to the Site.
4. Generators/arrangers individuals or entities who may have generated hazardous substances that were disposed of at the Site, or who may have arranged for the disposal of hazardous substances at the Site.

TASK 5 CORPORATE FOLLOW-UP

Task 5A - Corporate History Research

The Contractor shall research the corporate history of PRPs by using public information sources, commercial publications and on-line computer services. This research also shall include a review of applicable Secretary of State Records (either through on-line research, by telephone inquiries, or in-person file reviews). At a minimum, the research should include electronic research in the following LEXIS/NEXIS databases: All Company Information and Combined Business and Corporation Records. Also at a minimum, this research should include electronic research with the Delaware Secretary of State's Office. As part of this research, the Contractor shall identify the ultimate state of incorporation for each corporate PRP and determine the fate of the corporation in that state as well as the corporation's current status.

Prior to performing corporate searches of Secretary of State records by in-person file reviews, the Contractor shall request approval from the Forest Service Contracting Officer's Representative. The decision to perform in-person reviews or to order copies of corporate documents from the Secretary of State shall be made by the Forest Service Contracting Officer's Representative.

For historic companies that cannot be located using resources that describe existing corporations, the Contractor shall conduct research in order to specify a company's history from the time that any liability arose, including any name changes, mergers or dissolutions. At a minimum, this research should include electronic research in the Commerce Clearinghouse Capital Changes Reporter. This research shall identify any changes in corporate PRPs as a result of company acquisitions, mergers and other changes in corporate form. The research should result in:

- " The fate of the corporation or its current corporate name and address;
- " Telephone number; and
- " Registered agent's name and address.

For publicly held corporations, the Contractor shall obtain from the Securities and Exchange Commission a copy of the Corporation's most recent SEC 10-K (Annual Reports). The Contractor shall provide the results of the corporate research in the Evidence Summary.

TASK 5B Physical Address of PRP

For individuals identified as PRPs, the Contractor shall perform follow-up research to locate information for each individual. At a minimum, this research should include electronic research in the LEXIS/NEXIS People-Trak database and Internet resources comparable to KnowX.com.

This research is not required for individuals whose connection to the Site dates back far enough such that the Contractor and the Forest Service may reasonably assume that the individual is deceased.

The research should result in:

1. Current name and address for the individual PRP, or
2. A determination that the individual could not be located, or
3. A statement that the individual is presumed deceased.

TASK 6 EVIDENCE SUMMARY

The Contractor shall provide a summary of evidence for each PRP. The evidence summary should include a narrative discussing the evidence and the results of the follow-up (Task 5).

TASK 7 FINAL PRP SEARCH REPORT

The Contractor shall submit a draft and final Operational History and PRP Search Report that contains a summary of all actions that have been taken in performing the PRP search for each Site. Each report will include all information relied upon or produced during the performance of any and all tasks identified above, including financial analyses, evidence summaries, and corporate research. The format of the report shall be consistent with the format provided in Appendix 1 of the USDA PRP Search Guide. A copy of this format is included in Appendix B of this document.

The report shall contain an operational history for each site. The report shall also include a discussion of each PRP and the evidence connecting it to the Site.

The Report shall be marked as Enforcement Confidential Prepared in Anticipation of Litigation. The Contractor also shall identify and mark any Confidential Business Information (CBI) in the reference section of the report. (Information that is claimed as CBI must be treated as confidential by the Forest Service pending an administrative determination on the status of the information.) If any CBI is used in the report, the reference to the CBI in the text shall be clearly marked.

APPENDIX 11

EPA Regional Offices

Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont)

U.S. Environmental Protection Agency
1 Congress Street, Suite 1100
Boston, MA 02114-2023
617-918-1111

Region 2 (New Jersey, New York, Puerto Rico, and U.S. Virgin Islands)

U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007
212-637-3000

Region 3 (Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and District of Columbia)

U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029
215-814-5000

Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee)

U.S. Environmental Protection Agency
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303-3104
404-562-9900

Region 5 (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin)

U.S. Environmental Protection Agency
77 W. Jackson Blvd.
Chicago, IL 60604
312-353-2000

Region 6 (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas)

U.S. Environmental Protection Agency
1445 Ross Avenue
Suite 1200
Dallas, TX 75202
214-665-6444

Region 7 (Iowa, Kansas, Missouri, and Nebraska)

726 Minnesota Avenue
Kansas City, KS 66101
913-551-7003

Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming)

U.S. Environmental Protection Agency
999-18th St., Suite 500
Denver, Colorado 80202-2466
303-312-6312

Montana Operations Office -
U.S. Environmental Protection Agency
Federal Building
301 South Park Drawer 10096
Helena, MT 59626-0096
406-441-1123

Region 9 (Arizona, California, Hawaii, Nevada, Guam and American Samoa)

U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105
415-744-1702

Region 10 (Alaska, Idaho, Oregon, and Washington)

U.S. Environmental Protection Agency
1200 6th Avenue
Seattle, WA 98101
206-553-1200

APPENDIX 12

EPA FINANCIAL STATEMENTS

APPENDIX 13

IRS TAX INFORMATION AUTHORIZATION

APPENDIX 14

**CERCLA §104(e)
INFORMATION REQUESTS
COVER LETTER A LARGE CORPORATIONS
(e.g., Forest Service)**

[REGIONAL FORESTER S LETTERHEAD]

File Code: ** _____
Date: ** _____

**PRP Name
**PRP Address

Certified Mail
Return Receipt Requested
Receipt No. ** _____

Re: Request for Information Pursuant to Section 104 of
CERCLA, 42 U.S.C. § 9604(e), for the
** _____ Site in the ** _____
National Forest, ** _____ Ranger District, ** _____
County, ** _____ [State]

Dear ** _____,

The Forest Service, an agency within the United States Department of Agriculture, is currently investigating the release of hazardous substances at the ** _____ Site (hereinafter referred to as the "Site") in the ** _____ National Forest. The Site is located at ** _____. The Forest Service is investigating the nature and quantity of materials that have been transported to, generated, treated, stored, released, or disposed of at the Site. The Forest Service is also investigating the extent of releases or threatened releases of hazardous substances at or from the Site. Within this investigation, the Forest Service is also seeking information on various entities and individuals that may be liable for cleanup of the Site.

The Forest Service is conducting this investigation pursuant to its authorities under Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9604, Executive Order 12580, as amended, and 7 C.F.R. § 2.60(a)(39). Pursuant to these authorities, the Forest Service requests that you respond to the Information Request included with this letter as Enclosure ** _____. To assist you in your preparation of your response, we have enclosed a discussion of the legal background of this Information Request (Enclosure ** __), as well as Instructions and Definitions (Enclosures ** __ and ** ____).

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to the Information Request within thirty (30) days of receipt of this letter, or adequately justify such failure to respond, can result in enforcement action by the Forest Service pursuant to Section 104(e) of CERCLA. This statute permits the Forest Service

to seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. Please be further advised that providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. §1001 or 42 U.S.C. § 6928(d) (Section 3008(d) of the Resource Conservation and Recovery Act). Please note that the individual preparing the response must complete and sign the enclosed notarized certificate (Enclosure ** ____).

If you believe that any information provided by you should be deemed privileged and confidential, and not be subject to public review, you should label the information as confidential, and provide reasons why the Forest Service should treat it as confidential pursuant to the provisions of Section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7).

This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

Due to the legal ramifications of failing to respond properly, the Forest Service strongly encourages you to give this matter your immediate attention. Your response to this Information Request should be mailed to:

**

On-Scene Coordinator

If you have any technical questions relating to this Information Request, you may contact [**Mr./Ms. _____] at any time. If you have any legal questions relating to the Site or the Information Request, you should consider consulting your own attorney. Any legal questions your attorney may have should be directed to:

**

Attorney
Pollution Control Team
USDA, OGC

We look forward to your timely response to this Information Request. Thank you for your cooperation in this matter.

Sincerely,

Regional Forester
Enclosures

cc: ** [Forest Supervisor]
** [District Ranger]
** [On-Scene Coordinator]
** [Regional CERCLA Coordinator]
** [OGC Attorney]

CERCLA §104(e)
INFORMATION REQUESTS
COVER LETTER B SMALL BUSINESS
(e.g., Forest Service)

[REGIONAL FORESTER S LETTERHEAD]

File Code: ** _____
Date: ** _____

**PRP Name
**PRP Address

Certified Mail
Return Receipt Requested
Receipt No. ** _____

Re: Request for Information Pursuant to Section 104 of
CERCLA, 42 U.S.C. § 9604(e), for the
** _____ Site in the ** _____
National Forest, ** _____ Ranger District, ** _____
County, ** _____ [State]

Dear ** _____,

The United States Forest Service, an agency within the United States Department of Agriculture, is currently investigating the release of hazardous substances at the ** _____ Site (hereinafter referred to as the "Site") in the ** _____ National Forest. The Site is located at ** _____. The Forest Service is investigating the nature and quantity of materials that have been transported to, generated, treated, stored, released, or disposed of at the Site. The Forest Service is also investigating the extent of releases or threatened releases of hazardous substances at or from the Site. Within this investigation, the Forest Service is also seeking information on various entities and individuals that may be liable for cleanup of the Site.

The Forest Service is conducting this investigation pursuant to its authorities under Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9604. Pursuant to CERCLA and additional legal authorities described in Enclosure 1, the Forest Service requests that you respond to the Information Request included with this letter as Enclosure ** _____.

You must respond to this Information Request within 30 days of receipt of this letter. Failure to respond can result in enforcement action by the Forest Service and penalties of up to twenty-five thousand dollars (\$25,000) per day. Please be further advised that providing false statements to the Forest Service could subject you to criminal penalties. Please note that the individual preparing the response must complete and sign the enclosed notarized certificate (Enclosure ** _____).

This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq. Due to the legal ramifications of failing to respond properly, the Forest Service urges you to give this matter your immediate attention. Your response to this Information Request should be mailed to:

**

On-Scene Coordinator

If you have any technical questions relating to this Information Request, you may contact [**Mr./Ms. _____] at any time. If you have any legal questions relating to the Site or the Information Request, you should consider consulting your own attorney. Any legal questions your attorney may have should be directed to:

**

Attorney
Pollution Control Team

Thank you for your cooperation in this matter.

Sincerely,

Regional Forester
Enclosures

cc: ** [Forest Supervisor]
** [District Ranger]
** [On-Scene Coordinator]
** [Regional CERCLA Coordinator]
** [OGC Attorney]

CERCLA §104(e)
INFORMATION REQUESTS
COVER LETTER C INDIVIDUAL
(e.g., Forest Service)

[REGIONAL FORESTER S LETTERHEAD]

File Code: ** _____
Date: ** _____

**PRP Name
**PRP Address

Certified Mail
Return Receipt Requested
Receipt No. ** _____

Re: Request for Information for the ** _____ Site

Dear ** _____,

The United States Forest Service, an agency within the United States Department of Agriculture, is currently investigating the release of hazardous substances at the ** _____ Site in the ** _____ National Forest. The Site is located at ** _____.

The Forest Service is conducting its investigation pursuant to an environmental law known as the Comprehensive Environmental Response, Compensation, and Liability Act, or "CERCLA". CERCLA allows the Forest Service to issue Information Requests to entities or individuals who may have knowledge about the Site. Accordingly, the Forest Service has included an Information Request with this letter, and requests that you respond to the questions in the Request within 30 days. At this point, the Forest Service has made no decisions as to who should be held responsible for any cleanup of the Site. Rather, the Forest Service simply seeks information that you may have on the Site.

You must respond to this Information Request within 30 days of receipt of this letter. Please be advised that failure to respond could result in penalties of up to \$25,000 per day and that providing false statements to the Forest Service could subject you to criminal penalties. Also note that the individual preparing the response must complete and sign the enclosed notarized certificate (Enclosure ** ____). The Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

Your response to the Information Request should be mailed to:

** _____
On-Scene Coordinator

If you have any questions relating to this Information Request, you may contact
[**Mr./Ms. _____] at any time.

Thank you for your cooperation in this matter.

Sincerely,

Regional Forester
Enclosures

cc: ** [Forest Supervisor]
 ** [District Ranger]
 ** [On-Scene Coordinator]
 ** [Regional CERCLA Coordinator]
 ** [OGC Attorney]

CERCLA §104(e)
INFORMATION REQUESTS
COMPREHENSIVE VERSION
(e.g., Forest Service)

ENCLOSURE 1 – LEGAL BACKGROUND

This information request is being made pursuant to USDA Forest Service authority under Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604, Executive Order 12580 as amended, and 7 C.F.R. § 2.60(a)(39).

Compliance with this information request is mandatory. Failure to respond fully and truthfully to the request within thirty (30) days of receipt of this letter, or to adequately justify a failure to so respond, can result in enforcement action by the Forest Service pursuant to Section 104(e) of CERCLA, 42 U.S.C. § 9604(e). CERCLA permits the Forest Service to seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

If you believe any information provided by you should be deemed privileged and confidential, and not be subject to public review, you should label the information as confidential, and provide reasons why the Forest Service should treat it as confidential pursuant to the confidentiality provisions of Section 107(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7).

This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

ENCLOSURE 2 – INSTRUCTIONS

1. Please provide a separate narrative response to each and every question and subparagraph of a question set forth in this request.
2. Precede each answer with the number of the question to which it corresponds.
3. If information or documents not now known or not now available to you should later become known or available to you, you must supplement your responses to the Forest Service. Moreover, should you find, at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the Forest Service of this fact as soon as possible and provide the Forest Service with a corrected response.
4. For each document produced in response to this Request indicate on the document, or in some other reasonable manner, the number of the corresponding question.
5. The information requested herein must be provided even though you may contend that it contains confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F). This confidentiality claim can be made by attaching to such information, at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, or proprietary or company confidential. Information covered by such a claim will be disclosed by the Forest Service only to the extent needed, and only by means of the procedures set forth in 40 C.F.R. Part 2 (1998). If no such claim accompanies the information when it is received by the Forest Service, it may be made available to the public by the Forest Service without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim since certain categories of information are not properly the subject of such a claim.
6. All questions asked in the past tense should be interpreted to apply to the present as well.
7. For each and every question contained herein, identify all persons consulted in the preparation of the answer.
8. For each and every question contained herein, identify documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the question and provide accurate copies of all such documents.

9. For each and every question contained herein, if information or documents responsive to the question exists, but this information is not in your possession, custody or control, then identify the persons from whom such information or documents may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, please identify such persons and the additional information or documents that they may have.
11. The individual preparing the response shall complete and sign the enclosed notarized certificate. Please note that it is important that the certificate be notarized by a notary public.

ENCLOSURE 3 – DEFINITIONS

The following definitions shall apply to the following words as they appear in the Information Request:

1. The term you or Respondent shall mean the addressee of this request, the addressee's officers, managers, employees, contractors, trustees, partners, attorneys, successors, agents and assigns.
2. The term person shall have the same definition as in Section 101(21) of CERCLA, 42 U.S.C. § 9601(21): an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States government, state, municipality, commission, political subdivision of a state, or any interstate body.
3. The term Site shall mean and include the property at ** _____, and any areas adjacent to or near this property that have been or may have been impacted by pollutants, contaminants or hazardous substances.
4. The term hazardous substance shall have the same definition as that contained in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), and shall include any mixture of such hazardous substances with any other substances, including petroleum or petroleum products.
5. The term pollutant or contaminant shall have the same definition as that contained in Section 101(33) of CERCLA, 42 U.S.C. § 9601(33), and includes any mixtures of such pollutants and contaminants with any other substances, including petroleum products.
6. The term hazardous waste shall have the same definition as that contained in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5).
7. The term materials shall mean all substances that have been generated, treated, stored or disposed of or otherwise handled at or transported to or from the Site, including, but not limited to all hazardous substances, pollutants and contaminants, hazardous wastes and solid wastes, as defined above.
8. The term solid waste shall have the same definition as that contained in Section 1004(27) of RCRA, 42 U.S.C. § 6903(27).
9. The term hazardous material shall mean all hazardous substances, pollutants or contaminants, and hazardous wastes, as defined above, and shall include any substance or material the transportation, storage, treatment, handling, disposal, use, recycling, removal or release of which is subject to any environmental law, or any substance or material for which standards of conduct are imposed under any environmental law.

10. The term **non-hazardous materials** shall mean all materials as defined above, excluding hazardous substances, pollutants and contaminants, and hazardous waste.
11. The term **identify** means,
 - d. with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business;
 - e. with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business;
 - f. with respect to a document, to provide its customary business description, its date, its invoice or purchase order number (if any) and a description of the substance or subject matter of the document.
12. The term **release** has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance, pollutant or contaminant.
13. The term **environmental condition** shall mean any of the following:
 - a. a release on, at or under the Site or onto any property in close proximity to the Site;
 - b. the migration of any hazardous material onto or under the Site or from the Site onto or under another property;
 - c. any adverse environmental, health or safety aspects of the use, handling, treating, generating, storing, transporting, recycling, disposing or release (whether on or off the Site) of a hazardous substance in connection with the operations or past operations of the Site;
 - d. the violation or alleged violation of any environmental law, order, permit or license of or from any applicable authority or court relating to environmental, health or safety matters;
 - e. the presence of any underground storage tank within the confines of the Site.
14. The terms **document** and **documents** shall mean any formal or informal writing, recording, or stored information. The terms **document** and **documents** include, but are not limited to any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip,

order, correspondence, record book, minutes, memorandum of telephone and other conversations, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communication, photostat, microfilm or other film record, photograph, sound recording or voicemail recording. The terms document or documents also include any type of memory generally associated with computers and data processing including punch cards, discs, disc packs, hard drives and network memory systems. The terms document and documents also include (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or marginalia on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.

15. The terms and and or shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this request any information that might otherwise be construed to be outside its scope.
16. The term arrangement means every separate contract or other agreement between two or more persons.
17. The terms transaction or transact mean any sale, transfer, giving, delivery, change in ownership, or change in possession, administration, or jurisdiction.
18. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.
19. The term property interest means any ownership, leasehold or operating interest in real, personal or usufructuary property regardless of where located. The term property interest includes but is not limited to any ownership interest in real or personal property, mining, millsite, tunnelsite claims, mineral rights leased, outstanding, or reserved mineral rights, water rights, any easements or rights of way, any interest in the rental of property, any rights secured under the 1872 Mining Law, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.
20. The term natural resources shall have the same definition set forth in Section 101(16) of CERCLA, 42 U.S.C. § 9601(16), and includes land, fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources[.]
21. The term involvement means any participation by any person in the operational management of the Site, the holding of a property interest, policy development or implementation relating to development of the Site, or encouragement of

development of the Site, including but not limited to personal, monetary, or contractual means.

22. The term disposal has the same definition as that contained in Section 101(29) of CERCLA, 42 U.S.C. § 9601(29) and Section 1004(3) of RCRA, 42 U.S.C. § 6903(3), and includes the discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous substance or waste into or on any land or water so that such substance, waste, or any constituent thereof, may enter the environment or be emitted into the air or discharged into any waters, including groundwater.
23. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, 42 U.S.C. §§ 9601, et seq.; RCRA, 42 U.S.C. §§ 6901, et seq.; or their regulations found at 40 C.F.R. Part 300 or 40 C.F.R. Parts 260, et seq. respectively, in which case the statutory or regulatory definitions shall apply.
24. The term generator means any person or persons who arranged for the transportation of materials to the Site (either directly or through transshipment points) for any purpose, including disposal or treatment.
25. The term environmental law shall mean any federal, state or local law, ordinance, permit or regulation, or any common law, relating to, or imposing liability or standards of conduct concerning health, safety, radioactive materials, or the environment, including, but not limited to, the following federal statutes: Clean Air Act (42 U.S.C. §§ 7401, et seq.), Clean Water Act (42 U.S.C. §§ 1251, et seq.), Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §§ 9601, et seq.), Resource Conservation and Recovery Act (42 U.S.C. §§ 6901, et seq.), the Emergency Planning and Community Right-to-Know Act (42 U.S.C. §§ 1101, et seq.), Safe Drinking Water Act (42 U.S.C. §§ 300f, et seq.), Toxic Substances Control Act (15 U.S.C. §§ 2601, et seq.), Endangered Species Act (16 U.S.C. §§ 1531 et seq.), Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. §§ 136, et seq.), and the Occupational Safety and Health Act (29 U.S.C. §§ 651, et seq.), each as amended, and all regulations promulgated thereunder, guidances and directives issued with respect thereto, or policies adopted by authority thereunder.

ENCLOSURE 4 -- QUESTIONS

1. Identify the person(s) answering these questions on behalf of the Respondent.
2. Please provide the name, title, address, and phone number of the individual to whom any future correspondence regarding this matter should be directed.

SITE OPERATIONS AND TECHNICAL INFORMATION

3. Identify all property interests that the Respondent has had or currently has in the Site.
4. Identify and provide a history and chronology of the Respondent's activities at the Site. Describe your operations at the Site, including a description of the following activities:
 - a. Surveying;
 - b. Staking of mining claims;
 - c. Access road construction;
 - d. Drilling;
 - e. Exploration for valuable minerals;
 - f. Construction of improvements;
 - g. Construction of shafts and adits;
 - h. Excavation;
 - i. Management of ore piles;
 - j. Milling;
 - k. Processing operations;
 - l. Heap leaching;
 - m. Management of tailings piles;
 - n. Waste disposal.
5. Identify all persons, including the Respondent, who may have excavated or unearthed minerals or hazardous materials at the Site. In addition:

- a. State the dates on which such persons may have excavated or unearthed minerals or hazardous materials.
 - b. Describe the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid, etc.) and quantity (volume and weight) of all minerals and hazardous materials excavated or unearthed at the Site.
 - c. Identify the persons and employees who may have handled such minerals or hazardous materials.
 - d. Describe the nature of the operations involved in the excavating, unearthing or handling of such minerals or hazardous materials.
 - e. Provide all documents or other information of which the Respondent is aware relating to the ultimate disposition of such minerals or hazardous materials.
6. State whether you conducted or permitted activities involving the excavation, unearthing, generation, transportation, storage, treatment, or disposal of any hazardous materials at the Site. If so, describe the activities you conducted or permitted.
 7. Please provide copies of any audits, records, assessments, inspections or other documents relating to the location, construction, installation, structural integrity, maintenance, history of repairs, and condition of mining features (such as exploratory drillings, wells, shafts, adits, ore piles, tailings piles, or surface impoundments) at the Site.
 8. Please provide copies of all technical or analytical information, including the results of laboratory and field tests, relating to environmental conditions or hazardous materials at the Site.
 9. Describe any closure or reclamation activities previously undertaken by the Respondent or other entities at the Site, and provide any documents or technical information pertaining to such activities.
 10. Describe and identify any test or monitoring wells drilled, or other monitoring or testing activities conducted in relation to the Site. Provide any well logs and analytical data obtained from such test or monitoring.

HAZARDOUS MATERIAL AND WASTE MANAGEMENT ISSUES

11. Identify all persons, including the Respondent's employees, who have knowledge, information or documents regarding the generation, use, purchase, treatment, storage, disposal, or other handling of hazardous materials at or the transportation of hazardous materials to or from the Site.

12. Describe the materials management practices exercised by the Respondent for any hazardous materials at the Site.
13. State whether you caused or contributed in any way to the release or threatened release of any hazardous materials at the Site. Describe the releases or threat of releases that you are aware of that have occurred at the Site and state how you caused or contributed to those releases.
14. Identify any person(s) who caused a release or threatened release of hazardous materials at the Site. Describe the cause of the release or threatened release.
15. Describe the acts or omissions of any persons, including your employees, agents, or those persons with whom you had a contractual relationship, that may have caused a release or threat of release of hazardous materials at or near the Site.
16. Describe all arrangements that Respondent has or had with any person regarding the sale, transport, treatment or disposal of hazardous materials at the Site.
17. Identify all persons, including the Respondent, who may have:
 - a. may have given, sold, transferred, transported or delivered any hazardous material to or from the Site;
 - b. disposed of or treated hazardous materials at the Site;
 - c. arranged for the disposal or treatment of hazardous materials at the Site;
 - d. manufactured or processed hazardous materials at the Site; or
 - e. arranged for the transportation of hazardous materials to the Site (either directly or through transshipment points) for any purpose, including disposal or treatment.
18. For each and every instance in which an individual or entity performed any of the actions specified in Question 17 subparagraphs (a)-(e):
 - a. Identify the individual or entity.
 - b. State the dates for which the individual or entity gave, sold, transferred, transported to, delivered, manufactured, processed, treated or disposed of hazardous materials at the Site.

- c. Describe the nature of the hazardous material involved, including the chemical content, characteristics, physical state (e.g., solid, liquid, etc.) and quantity (volumes and weights).
 - d. Describe the source that yielded or the process that produced the hazardous materials that were given, sold, transferred, transported to, delivered, manufactured, processed, treated or disposed at the Site.
 - e. Describe the intended purpose of each sale, transfer, transport or delivery of hazardous materials to the Site.
 - f. Describe the ultimate disposition of all of the hazardous material(s) identified in subpart (c).
19. To the extent not addressed in response to any of the above questions, if you have ever arranged (by contract, agreement, or otherwise) for the disposal, treatment, or transportation to the Site of waste oil, drain oil, used oil, or other oil, lubricant, or fuel of any type (collectively referred to as fuel or oil), describe the ultimate disposition of this fuel or oil.
20. Identify any RCRA Identification Numbers obtained by the Respondent or any other entities for activities conducted at the Site. Identify the corresponding units, facilities or vessels at the Site that have been assigned these numbers.
21. Please provide copies of all permits, licenses, registrations, or other authorizations held by the Respondent for operations at the Site issued pursuant to any environmental laws as well as all draft or proposed permits, permit modifications or pending permit applications.
22. Please provide copies of all documents relating to any release or suspected release of hazardous materials at or from the Site.

CORPORATE AND FINANCIAL INFORMATION

23. Describe the Respondent's corporate history since 19[** ____], including all corporate mergers, acquisitions and name changes. Describe the form of each entity listed (e.g., for profit corporation, limited or general partnership, joint venture, sole proprietorship, etc.), identify the state in which each entity was or is organized, the date of organization or initiation of business, the date of discontinuation or dissolution, the purpose(s) for each entity and the reason(s) for its discontinuation or dissolution. In addition for all listed entities:
- a. If the entity was or is a partnership, please identify all limited and/or general partners.
 - b. If the entity was or is a corporation, please identify all corporate officers and members of the Board of Directors.

- c. If the entity was or is a sole proprietorship, please identify all owners and supervisory employees.
 - d. If the entity was or is a joint venture, please identify all partners.
24. To the extent not provided in response to Question 23, describe all contractual relationships, formal or informal business relationships, including partnerships and joint ventures or other arrangements that the Respondent may have or may have had concerning any activities at the Site.
 25. To the extent not provided in response to Question 23, identify the parent corporation and all subsidiaries of the Respondent during the period of the Respondent's involvement at the Site.
 26. To the extent not provided in response to Question 23, identify all partnerships involved with the Site in which the Respondent is or was a partner. For all such partnerships please:
 - a. provide copies of any Partnership Agreements and/or Certificates filed with the Secretary of State or the applicable County;
 - b. identify all partners comprising the partnership and the nature of their partnership interest; and
 - c. describe the current status of the partnership.
 27. State the date and the state of incorporation of the Respondent.
 28. Provide a copy of the most recent Articles of Incorporation and By-Laws of the Respondent.
 29. Identify the Respondent's majority shareholders.
 30. Identify the Respondent's corporate officers and environmental managers and the nature of their responsibilities and management duties.
 31. Identify all persons, including all corporate predecessors, successors and individuals, who may be responsible for any potential liabilities of the Respondent arising from or relating to environmental conditions at the Site.
 32. Please provide copies of all agreements relating to the Respondent's liability, indemnity or contribution for environmental conditions at the Site.
 33. If you believe that your company does not have the financial ability to pay for its share of the costs of cleanup at this site, contact *** _____ [Regional CERCLA Coordinator]. **[This question is for PRPs only. If a PRP indicates**

that it has an inability to pay for the PRP s share of the cleanup, then it may be appropriate to request copies of the PRP s most recent (at least past 3 years) annual financial reports or state and federal income tax returns.] The following question may be used in a follow-up § 104(e) information request when seeking financial information relevant to making an inability to pay determination (or when necessary to determine a PRP s financial ability to perform cleanup work):

Provide copies of all corporate federal and state income tax statements, financial statements, reports or projections prepared by, for, or on behalf of, the Respondent for the past seven years (whether audited or not), including, but not limited to, all returns filed with the Securities and Exchange Commission, state agencies, and all financial institutions such as banks.

34. Provide a list of the Respondent's property and casualty insurance policies (e.g., Comprehensive General Liability, Environmental Impairment Liability, Director and Officers policies) during the period of the Respondent's involvement at the Site. Specify the insurer, policy, effective dates, and state the per occurrence policy limits for each policy. Copies of policies may be provided in lieu of a narrative response.

NATURAL RESOURCES

35. Identify each and every injury to natural resources resulting from the release of a hazardous materials on or from the Site and the person(s) responsible for the release.
36. Provide all documents or other information of which you are aware relating to the investigation, discussion or mention of potential injuries to natural resources resulting from operations at the Site.

MISCELLANEOUS

37. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

ENCLOSURE 5 -- NOTARIZED CERTIFICATE

I, _____, having been duly sworn and being of legal age, hereby state:

1. I am the person authorized by _____ to respond to the USDA-Forest Service s request for information concerning the ** _____ Site.
2. I have made a complete and thorough review of all documents, information, and sources relevant to this request.
3. I hereby certify that the attached response to the USDA-Forest Service s request is complete and contains all information and documents responsive to the request.

(Signature)

(Print Name)

(Title)

Subscribed and sworn to me this ___ day of _____, 200_.

[SEAL]

(Notary Public)

My commission expires _____

My address is _____

CERCLA §104(e)
INFORMATION REQUESTS
ABBREVIATED VERSION
(e.g., Forest Service)

DEFINITIONS AND INSTRUCTIONS

1. For questions in this Information Request, please identify any documents consulted in the preparation of the answer, or that contain information responsive to the question. Please provide copies of all such documents.
2. If you are aware of any information or documents that are responsive to questions in this Information Request, but that are not in your possession, custody or control, then identify the persons from whom such information or documents may be obtained.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question in this Information Request or who may be able to provide additional responsive documents, please identify such persons and the additional information or documents that they may have.
4. The individual preparing the response shall complete and sign the enclosed notarized certificate.
5. The information requested herein must be provided even though you may contend that it contains confidential information or trade secrets. For business or trade secrets, you may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F).
6. The following definitions apply to terms as they appear in the Information Request:
 - a. You or Respondent shall mean the addressee of this request, the addressee's officers, managers, employees, contractors, trustees, partners, attorneys, successors, agents and assigns.
 - b. The term property interest means any ownership, leasehold or operating interest in real, personal or usufructuary property regardless of where located. The term property interest includes but is not limited to any ownership interest in real or personal property, mining, millsite, tunnelsite claims, mineral rights leased, outstanding, or reserved mineral rights, water rights, any easements or rights of way, any interest in the rental of property, any rights secured under the 1872 Mining Law, any interest in a corporation that owns or rents or owned or rented property, and any

interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

- c. Site shall mean and include the property at ** _____, and any areas adjacent to or near this property that have been or may have been impacted by pollutants, contaminants or hazardous substances.
- d. The terms release , hazardous substance , pollutant , contaminant , and natural resource shall have the same meanings as defined in Section 101 of CERCLA, 42 U.S.C. § 9601.
- e. The terms disposal , solid waste and hazardous waste shall have the same meanings as defined in Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6903.
- f. All terms not defined here shall have their ordinary meaning, unless such terms are defined in CERCLA, 42 U.S.C. §§ 9601, et seq.; RCRA, 42 U.S.C. §§ 6901, et seq.; or their regulations found at 40 C.F.R. Part 300 or 40 C.F.R. Parts 260, et seq. respectively, in which case the statutory or regulatory definitions shall apply.
- g. The term environmental law shall mean any federal, state or local law, ordinance, permit or regulation, or any common law, relating to, or imposing liability or standards of conduct concerning health, safety, radioactive materials, or the environment, including, but not limited to, the following federal statutes: Clean Air Act (42 U.S.C. §§ 7401, et seq.), Clean Water Act (42 U.S.C. §§ 1251, et seq.), Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §§ 9601, et seq.), Resource Conservation and Recovery Act (42 U.S.C. §§ 6901, et seq.), the Emergency Planning and Community Right-to-Know Act (42 U.S.C. §§ 1101 et seq.), Safe Drinking Water Act (42 U.S.C. §§ 300f, et seq.), Toxic Substances Control Act (15 U.S.C. §§ 2601, et seq.), Endangered Species Act (16 U.S.C. §§ 1531, et seq.), Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. §§ 136, et seq.), and the Occupational Safety and Health Act (29 U.S.C. §§ 651, et seq.), each as amended, and all regulations promulgated thereunder, guidances and directives issued with respect thereto, or policies adopted by authority thereunder.

QUESTIONS

1. Identify the person(s) answering these questions on behalf of the Respondent.
2. Please provide the name, title, address, and phone number of the individual to whom any future correspondence regarding this matter should be directed.
3. Identify all property interests that the Respondent has had or currently has in the Site.
4. Identify and provide a narrative history and chronology of the Respondent's activities at the Site, including a description of drilling, exploration for valuable minerals, construction of shafts and adits, excavation, management of ore piles and waste piles, milling, processing operations and waste disposal.
5. Identify all persons, including the Respondent, who may have excavated or unearthed minerals or hazardous materials at the Site. Identify the dates of such activity. Describe the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid, etc.) and quantity (volume and weight) of all minerals and hazardous materials excavated or unearthed.
6. Describe any closure or reclamation activities previously undertaken by the Respondent or other entities at the Site, and provide any documents or technical information pertaining to such activities. Include copies of all technical or analytical information that relate to hazardous materials at the Site.
7. Identify all persons, including the Respondent's employees, who have knowledge, information or documents regarding the generation, use, purchase, treatment, storage, disposal, or other handling of hazardous materials at or the transportation of hazardous materials to or from the Site.
8. Describe the materials management practices exercised by the Respondent for any hazardous materials at the Site.
9. State whether you caused or contributed in any way to the release or threatened release of any hazardous materials at the Site. Describe the releases or threat of releases that you are aware of that have occurred at the Site and state how you caused or contributed to those releases.
10. Identify any person(s) who caused a release or threatened release of hazardous materials at the Site. Describe the cause of the release or threatened release.
11. Please provide copies of all permits, licenses, registrations, or other authorizations held by the Respondent for operations at the Site issued pursuant

to any environmental laws as well as all draft or proposed permits, permit modifications or pending permit applications.

12. Please provide copies of all documents relating to any release or suspected release of hazardous materials at or from the Site.
13. Identify the parent corporation and all subsidiaries of the Respondent during the period of the Respondent's involvement at the Site.
14. Describe all contractual relationships, formal or informal business relationships, including partnerships and joint ventures or other arrangements that the Respondent may have or may have had concerning any activities at the Site.
15. Identify all persons, including all corporate predecessors, successors and individuals, who may be responsible for any potential liabilities of the Respondent arising from or relating to environmental conditions at the Site. Please provide copies of all agreements relating to the Respondent's liability, indemnity or contribution for environmental conditions at the Site.
16. If you believe that you do not have the financial ability to pay for your share of the costs of cleanup at this site, contact *** _____ [Regional CERCLA Coordinator]. [This question is for PRPs only. If a PRP indicates that she, he, or it has an inability to pay for the PRP's share of the cleanup, then it may be appropriate to request copies of the PRP's most recent (last 3 years) annual financial report or state and federal income tax returns.]
17. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

NOTARIZED CERTIFICATE

I, _____, having been duly sworn and being of legal age, hereby state:

- 1. I am the person authorized by _____ to respond to the USDA-Forest Service's request for information concerning the ** _____ Site.
- 2. I have made a complete and thorough review of all documents, information, and sources relevant to this request.
- 3. I hereby certify that the attached response to the USDA-Forest Service's request is complete and contains all information and documents responsive to the request.

(Signature)

(Print Name)

(Title)

Subscribed and sworn to me this ____ day of _____, 200_.

[SEAL]

(Notary Public)

My commission expires

My address is _____



U.S. Environmental Protection Agency, Region IX
Financial Statement for Businesses *

(If additional space is needed, attach a separate sheet)

1. Your name and address <i>(including zipcode and county)</i>	1a. Business name and address <i>(including zipcode and county)</i>	2. Business phone number ()	4. (Check appropriate box) <input type="checkbox"/> Sole proprietor <input type="checkbox"/> Trust <input type="checkbox"/> Partnership <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Corporation _____
3. Name and address of registered agent <i>(including zipcode and county)</i>		7a. Type of business	
5. State of Incorporation (or country if foreign)	5a. Employer Identification Number	6. Date of Incorporation	7b. SIC Code

8. Information about owner, partners, officers, directors, major shareholder (5% or more stock ownership), other holders of more than 5% equity interest, holders of rights to purchase more than equity interest and other persons with an ability to control.

Name and Title	Effective Date	Home Address	Social Security Number (optional)	Phone Number	Total Shares or Interest

Section I General Financial Information

9. Last three years Federal and state income tax returns	Forms Filed	Tax Years ended	Net income before taxes
--	-------------	-----------------	-------------------------

10. Bank accounts *(List all types of accounts including checking, savings, certificates of deposit, etc.)*

Name of Institution	Address	Type of Account	Account No.	Balance
Total (Enter in Item 19)				

11. Bank Credit available *(Lines of credit, etc.)*

Name of Institution	Address	Credit Limit	Amount Owed	Credit Available	Monthly
Totals					

12. Location, box number, and contents of all safe deposit boxes rented or accessed

* This information is requested pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9604, and is not subject to approval of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

Section I - continued

General Financial Information

13. Real property

Brief Description and Type of Ownership	Address (include county, state and parcel number)
a.	
b.	
c.	

14. Insurance policies owned with business as beneficiary

Name Insured	Company	Policy Number	Type	Face Amount	Available Loan Value
Total (Enter in Item 21)				▶	

15. Additional Information (Court and administrative proceedings by or against the business, settlement agreements, agreements to purchase or sell tangible or financial assets other than in the ordinary course of business, legal claims [whether asserted or not], bankruptcies, repossessions, recent transfers of assets for less than full value, anticipated increases in income, options to buy or sell real or personal property, real or personal property being purchased under contract, real or personal property being held on behalf of the business).

15a. List all subsidiaries owned, joint ventures, partnerships and other entities controlled by the business. Provide current market value of the business' interest in such subsidiary or other entity.

16. Federal government departments or agencies with whom you have a contract for payment of goods or services

Agency Name	Address	Contract No.	Amount to be Received	Payment Due Date

16a. Federal government departments or agencies that have extended or given the business loans, grants or assistance, or to which you have applied (or anticipate applying for any loan, grant, or assistance) in the past 5 years.

17. Accounts/Notes receivable (Include loans to stockholders, officers, partners, etc.)

Agency Name	Address	Amount Due	Due Date	Status
Total (Enter in Item 20)		▶		

Section II.

Asset and Liability Analysis

Description (a)	Cur. Mkt Value (b)	Liabilities Bal. Due (c)	Equity in Asset (d)	Amount of Mo. Pymt. (e)	Name and Address of Lien/Note Holder/Obligee (f)	Date Pledged (g)	Date of Final Pymt. (h)
18. Cash on hand							
19. Bank accounts							
19a. Securities and other financial assets owned							
20. Accounts/Notes receivable							
21. Insurance Loan Value							
22. Real property (from item 13)		a.					
		b.					
		c.					
		d.					
23. Vehicles (Model, year, license)		a.					
		b.					
		c.					
24. Machinery and equipment (Specify)		a.					
		b.					
		c.					
25. Merchandise inventory (Specify)		a.					
		b.					
26. Other Assets (including permits, licenses, tax loss carry forwards, agreements not to compete, other contracts) (Specify)		a.					
		b.					
		c.					
		d.					
27. Other Liabilities (Include judgements, notes, tax liens, etc.)		a.					
		b.					
		c.					
		d.					
		e.					
28. Federal & State Taxes Owed							
29. Totals							

Tax Information Authorization

OMB No. 1545-1165

For IRS Use Only

Received by: _____

Name _____

Telephone (_____) _____

Function _____

Date ____/____/____

▶ **IF THIS AUTHORIZATION IS NOT SIGNED AND DATED, IT WILL BE RETURNED.**

1 Taxpayer information.

Taxpayer name(s) and address (please type or print)	Social security number(s) _____ _____ _____	Employer identification number _____ _____ _____
	Daytime telephone number (_____) _____	Plan number (if applicable) _____

2 Appointee.

Name and address (please type or print)	CAF No. _____ Telephone No. (_____) _____ Fax No. (_____) _____ Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/>
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3 Tax matters. The appointee is authorized to inspect and/or receive confidential tax information in any office of the IRS for the tax matters listed on this line.

(a) Type of Tax (Income, Employment, Excise, etc.)	(b) Tax Form Number (1040, 941, 720, etc.)	(c) Year(s) or Period(s)	(d) Specific Tax Matters (see instr.)

4 Specific use not recorded on Centralized Authorization File (CAF). If the tax information authorization is for a specific use not recorded on CAF, check this box. (See the instructions on page 2.) ▶
 If you checked this box, skip lines 5 and 6.

5 Disclosure of tax information (you **must** check the box on line 5a or b unless the box on line 4 is checked):

a If you want copies of tax information, notices, and other written communications sent to the appointee on an ongoing basis, check this box ▶

b If you do not want any copies of notices or communications sent to your appointee, check this box ▶

6 Retention/revocation of tax information authorizations. This tax information authorization automatically revokes all prior authorizations for the same tax matters you listed above on line 3 unless you checked the box on line 4. If you do not want to revoke a prior tax information authorization, you **MUST** attach a copy of any authorizations you want to remain in effect **AND** check this box ▶
 To revoke this tax information authorization, see the instructions on page 2.

7 Signature of taxpayer(s). If a tax matter applies to a joint return, **either** husband or wife must sign. If signed by a corporate officer, partner, guardian, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute this form with respect to the tax matters/periods covered.

Signature	Date	Signature	Date
Print Name	Title (if applicable)	Print Name	Title (if applicable)

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of form. Form 8821 authorizes any individual, corporation, firm, organization, or partnership you designate to inspect and/or receive your confidential information in any office of the IRS for the type of tax and the years or periods you list on this form. You may file your own tax information authorization without using Form 8821, but it must include all the information that is requested on the form.

Form 8821 does not authorize your appointee to advocate your position with respect to the Federal tax laws; to execute waivers, consents, or closing agreements; or to otherwise represent you before the IRS. If you want to authorize an individual to represent you, use **Form 2848**, Power of Attorney and Declaration of Representative.

Use **Form 56**, Notice Concerning Fiduciary Relationship, to notify the IRS of the existence of a fiduciary relationship. A fiduciary (trustee, executor, administrator, receiver, or guardian) stands in the position of a taxpayer and acts as the taxpayer. Therefore, a fiduciary does not act as an appointee and should not file Form 8821. If a fiduciary wishes to authorize an appointee to inspect and/or receive confidential tax information on behalf of the fiduciary, Form 8821 must be filed and signed by the fiduciary acting in the position of the taxpayer.

Taxpayer identification numbers (TINs). TINs are used to identify taxpayer information with corresponding tax returns. It is important that you furnish correct names, social security numbers (SSNs), individual taxpayer identification numbers (ITINs), or employer identification numbers (EINs) so that the IRS can respond to your request.

Partnership items. Sections 6221–6231 authorize a Tax Matters Partner to perform certain acts on behalf of an affected partnership. Rules governing the use of Form 8821 do not replace any provisions of these sections.

When to file. Form 8821 must be received by the IRS within 60 days of the date it was signed and dated by the taxpayer.

Where to file. Generally, mail or fax Form 8821 directly to the Centralized Authorization File (CAF) Unit at the service center where the related return was, or will be, filed. To find the service center address, see the related tax return instructions. To get the fax number, call **1-800-829-1040**.

If Form 8821 is for a specific tax matter, mail or fax it to the office handling that matter. For more information, see the instructions for line 4.

Specific Instructions

Line 1—Taxpayer information

Individuals. Enter your name, TIN, and your street address in the space provided. **Do not** enter your appointee's address or post office box. If a joint return is used, also enter your spouse's name and TIN. Also enter your EIN if applicable.

Corporations, partnerships, or associations. Enter the name, EIN, and business address.

Employee plan. Enter the plan name, EIN of the plan sponsor, three-digit plan number, and business address of the plan sponsor.

Trust. Enter the name, title, and address of the trustee, and the name and EIN of the trust.

Estate. Enter the name, title, and address of the decedent's executor/personal representative, and the name and identification number of the estate. The identification number for an estate includes both the EIN, if the estate has one, and the decedent's TIN.

Line 2—Appointee. Enter your appointee's full name. Use the identical full name on all submissions and correspondence. If you wish to name more than one appointee, indicate so on this line and attach a list to the form.

Note: Only the first three appointees you list will be input on the CAF.

Enter the nine-digit CAF number for each appointee. If an appointee has a CAF number for any previously filed Form 8821 or power of attorney (Form 2848), use that number. If a CAF number has not been assigned, enter "NONE," and the IRS will issue one directly to your appointee.

The CAF number is a number that the IRS assigns to appointees. The appointee's CAF number must be used on all future Forms 8821 or 2848. The IRS does not assign CAF numbers to requests for employee plans and exempt organizations.

Line 3—Tax matters. Enter the type of tax, the tax form number, the years or periods, and the specific tax matter. Enter "Not applicable," in any of the columns that do not apply.

In **column (c)**, write the years using the YYYY format, for example, "2000." **Do not** use general references such as "all years," or "all periods." If you do, your application will be returned.

You may list any prior years or periods, but for future periods, you are limited to the 3 future periods that end no later than 3 years after the date Form 8821 is received by the IRS. For **employment tax** or **excise tax** returns, enter the applicable quarters of the tax year. For **estate tax** returns, enter the date of the decedent's death instead of the year or period.

In **column (d)**, enter any specific information you want the IRS to provide. Examples of column (d) information are: transcript of an account, a balance due amount, a specific tax schedule, or a tax liability.

For requests regarding a **foreign certification** shown on **Form 6166**, Certification of Filing A Tax Return, enter "Form 6166" in column (d) and check the box on line 4.

Line 4—Specific use not recorded on CAF. Generally, the IRS records all tax information authorizations on the CAF system. However, authorizations relating to a specific issue are not recorded.

Check the box on line 4 if Form 8821 is filed for any of the following reasons: (1) requests to disclose information to loan companies or educational institutions, (2) requests to disclose information to Federal or state agency investigators for background checks, (3) civil penalty issues, (4) trust fund recovery penalty,

(5) application for EIN, or (6) claims filed on **Form 843**, Claim for Refund and Request for Abatement. If you check the box on line 4, your appointee should mail or fax Form 8821 to the IRS office handling the matter. Otherwise, your appointee should bring a copy of Form 8821 to each appointment to inspect or receive information. A specific use tax information authorization does not automatically revoke any prior tax information authorizations.

Line 6—Retention/revocation of tax information authorizations. Check the box on this line and attach a copy of the tax information authorization you do not want to revoke.

To revoke an existing authorization, send a copy of the previously executed Form 8821 to the IRS office where it was filed. Write "REVOKE" across the top of the form and sign your name again under the existing signature (line 7). If you do not have a copy of the prior Form 8821, send a letter to the IRS office where you filed it. The letter must indicate that the authority of the tax information authorization is revoked and must be signed by the taxpayer. Include the name and address of each appointee whose authority is revoked.

Note: Filing Form 8821 does not revoke any Form 2848 that is in effect.

Line 7—Signature of taxpayer(s)

Individuals. You must sign and date the authorization. **Either** husband or wife must sign if Form 8821 applies to a joint return.

Corporations. Generally, Form 8821 can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer, and (4) any other person authorized to access information under section 6103(e).

Partnerships. Generally, Form 8821 can be signed by any person who was a member of the partnership during any part of the tax period covered by Form 8821. See **Partnership items** above.

All others. See section 6103(e) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

Privacy Act and Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. Form 8821 is provided by the IRS for your convenience and its use is voluntary. If you designate an appointee to inspect and/or receive confidential tax information, you are required by section 6103(c) to provide the information requested on the form. Under section 6109, you must disclose your social security number (SSN), employer identification number (EIN), or individual taxpayer identification number (ITIN). If you do not provide all the information requested on this form, we may not be able to honor the authorization.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia for use in administering their tax laws. We may also give this information to other countries pursuant to tax treaties.

You are not required to provide the information requested on a form unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Disclosure of the information on this form may be made as provided in section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 7 min.; **Learning about the law or the form**, 12 min.; **Preparing the form**, 24 min.; **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send Form 8821 to this address. Instead, see **Where to file** on this page.





Financial Statement for Individuals *

(If additional space is needed, attach a separate sheet)

1. Your name and address (including zipcode and county)		2. Home phone number		3. Marital status	
Zip Code		County		4. Social Security Numbers (optional)	
		a. Yours		b. Spouse	

Section I Employment Information

5. Present employer or business (name and address)		6. Business phone number		7. Occupation	
5a. How long at present employment.				8. Check appropriate box <input type="checkbox"/> Wage earner <input type="checkbox"/> Partner <input type="checkbox"/> Sole proprietor <input type="checkbox"/> Corporate officer	
9. Spouse's employer or business (name and address)		10. Business phone number		11. Occupation	
9a. How long at present employment.				12. Check appropriate box <input type="checkbox"/> Wage earner <input type="checkbox"/> Partner <input type="checkbox"/> Sole proprietor <input type="checkbox"/> Corporate officer	

Section II. Personal Information

13. Name, address and telephone number of next of kin or other reference

14. Date of birth

a. Yours	b. Spouse's	
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Section III. General Financial Information

15. Last three years Federal and state income tax returns filed	15a. Adjusted gross income on returns, per year	15b. List all states these returns were filed in:
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16. Bank accounts (include Savings & Loans, Credit Unions, IRA and Retirement Plans, Certificates of Deposit, etc.)

Name of Institution	Address	Type of Account	Account No.	Balance
Total (Enter in Item 25)				

* This information is requested pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9604, and is not subject to approval of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

Section III - continued

General Financial Information

17. Charge cards, Lines of credit

Type of Account or Card	Name and Address of Financial Institution	Monthly Payment	Credit Limit	Amount Owed	Credit Available
Totals (Enter in Item 31) 					

18. Safe deposit boxes rented or accessed (List all locations, box numbers, and contents including estimated market value)

19. Real Property (Brief description of property and type of ownership)	Address (Include county, state and parcel number)
a.	
b.	
c.	

20. Insurance Policies (Name of Company)	Policy Number	Type	Face Amount	Available Loan Value
Total (Enter in Item 27) 				

21. Additional Financial Information (Court and administrative proceedings by or against you, legal claims[whether asserted or not], settlement agreements, employment agreements, consulting and similar agreements, "golden parachute" agreements, bankruptcies, repossessions, recent transfers of assets for less than full value, anticipated increases in income, real estate being purchased under contract, real or personal property being held on your behalf, condition of health, information on trusts, estates, profit-sharing plans, inheritance, etc., in or of which you are a participant or beneficiary).

22. Are you currently receiving retirement benefits as a former civilian or military employee of the federal government? If so, give dates of service, agency or branch of service employed by, and location of employment.

23. Indicate any business entity with which you own five (5) percent or more of the outstanding stock (or other equity interest).

Name of Business Entity	Address	Percentage of Stock	Date Purchased

Section IV.

Asset and Liability Analysis

Description	Current Market Value	Liabilities Balance Due	Equity in Asset	Amount of Monthly Payment	Name and Address of Issuer or Lien/Note Holder/Obligee	Date Pledged	Date of Final Payment
24. Cash and precious metals or gems							
25. Bank accounts							
26 a. Stocks							
b. Bonds							
c. Mutual Funds, Partnership Interest, Securities and other Investments							
27. Cash or loan value of Insurance.							
28. Vehicles (<i>Model, year, license</i>)							
a.							
b.							
c.							
29. Real property (<i>From item 19</i>)							
a.							
b.							
c.							
30. Other tangible assets (including art, boats, jewelry, options, etc.) or financial debts owed to you in excess of \$1000.							
a.							
b.							
c.							
d.							
31. Bank revolving credit							
32. Other Liabilities (Include judgements, notes, tax liens, etc.)							
a.							
b.							
c.							
d.							
e.							
f.							
g.							
33. Federal and state Taxes Owed							
34. Totals			\$	\$	Enter in item 49		

List all transfers real & personal property, including cash (by gift or loan made not at fair market terms) that you have made within the last 3 years (items with a current market value of \$1000.00 or more):

Date	Current Market Value	Sale Price You Received (if any)	Description of Property Transferred	To Whom (Indicate relationship to you)	Nature and Conditions of Transfer

Section V.

Monthly Income and Expense Analysis

Income			Necessary Living Expenses	
Source	Gross	Net		
35. Wages/Salaries	\$	\$	47. Rent (Do not show mortgage listed in item 30)	\$
36. Wages/Salaries (<i>spouse</i>)			48. Groceries (no. of people ____)	
37. Sales Commissions			49. Installment payments	
38. Interest - Dividends			50. Utilities (Gas \$ _____ Water \$ _____	
39. Net business income			Electric \$ _____ Phone \$ _____)	
40. Rental income			51. Transportation	
41. Pension/Social Security income			52. Insurance (Life \$ _____ Health \$ _____	
42. Pension/Social Security income (<i>spouse</i>)			Home \$ _____ Car \$ _____)	
43. Child Support			53. Medical (<i>describe if in excess of \$500.00</i>)	
44. Alimony			54. Estimated tax payments (<i>if self-employed</i>)	
45. Other Income (<i>e.g. investment income, capital gains</i>)			55. Other expenses (<i>specify</i>)	
46. Total	\$	\$	56. Total	\$

Certification

Under penalties of perjury, I declare that to the best of my knowledge and belief this statement of assets, liabilities, and other information is true, correct, and complete.

57. Your signature		58. Date
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