

US EPA ARCHIVE DOCUMENT

Glossary

- Administrative Order on Consent (AOC):** A legal agreement signed by EPA and an individual, business, or other entity through which the entity agrees to take an action, refrain from an activity, or pay certain costs. It describes the actions to be taken, may be subject to a public comment period, applies to civil actions, and can be enforced in court. AOCs are most commonly used for removal actions and RI/FSs, but may be used for de minimis and cost recovery settlements.
- Administrative Record (AR):** The body of documents that "forms the basis" for the selection of a particular response at a site. For example, the AR for remedy selection includes all documents that were "considered or relied upon" to select the response action. An AR must be available at or near every site to permit interested individuals to review the documents and to allow meaningful public participation in the remedy selection process. This requirement does not apply to other ARs, such as those for deletion.
- Administrative Subpoena:** A command issued by EPA requiring testimony and, if necessary, the production of documents deemed necessary to the administrative investigation of a site. CERCLA section 122(e)(3)(B) authorizes the issuance of administrative subpoenas as is "necessary and appropriate" to gather information to perform a non-binding preliminary allocation of responsibility or "for otherwise implementing CERCLA section 122." No legal mandate prohibits the use of an administrative subpoena as an initial information gathering tool; however, the Agency prefers using 104(e) requests before issuing administrative subpoenas.
- Alternative Dispute Resolution (ADR):** A process that allows parties to resolve their disputes without litigating them in court. ADR involves the use of neutral third parties to aid in the resolution of disputes through methods that include arbitration, mediation, mini-trials, and fact finding.
- Arbitrary and Capricious:** Characterization of a decision or action taken by an administrative agency or inferior court meaning willful and unreasonable action without consideration or in disregard of facts or without determining principle. Under CERCLA section 130(j)(2), a court ruling on a challenge to a response action decision will apply the arbitrary and capricious standard of review.
- Arbitration:** An alternative dispute resolution technique that involves the use of a neutral third party to hear stipulated issues pursuant to procedures specified by the parties. Depending upon the agreement of the parties and any legal constraints against entering into binding arbitration, the decision of the arbitrator may or may not be binding.

Brownfields:

In general, the term refers to real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The term does not include:

- a facility that is the subject of a planned or ongoing removal action under CERCLA;
- a facility that is listed or proposed for listing on the National Priorities List (NPL);
- a facility that is the subject of a unilateral administrative order, a court order, an order of consent or judicial consent decree that has been issued to or entered into by the parties under CERCLA, the Solid Waste Disposal Act (SWDA), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA);
- a facility that is subject to corrective action under SWDA section 3004(u) or 3008(h), and to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;
- a facility that is a land disposal unit with respect to which a closure notification under Subtitle C of the SWDA has been submitted, and closure requirements have been specified in a closure plan or permit;
- a facility that is subject to the jurisdiction, custody, or control of a department, agency, or instrumentality of the United States for an Indian tribe;
- a portion of a facility at which there has been a release of polychlorinated biphenyls (PCBs), and that is subject to remediation under the TSCA; or
- a portion of a facility, for which portion, assistance for response activity has been obtained under Subtitle I of SWDA from the Leaking Underground Storage Tank Trust Fund established under section 9508 of the Internal Revenue Code of 1986.

Cash Out:

A settlement that requires PRPs to provide up-front financing for a portion of the response action, rather than performing the work themselves. There are several types of cash out settlement. A mixed-funding cash out settlement requires the settling PRP to provide a substantial portion of the total response costs whereas a de minimis cash out settlement requires a minor portion of the response costs to be paid by the settling PRPs.

CERCLA 106(b) Reimbursement Petition:	Petition by an entity, which has complied with a unilateral administrative order, requesting reimbursement from EPA for reasonable costs plus interest of conducting a response action. A person may be entitled to reimbursement if the person can establish that he or she is not liable for response costs under CERCLA section 107(a) or if the person can demonstrate that the Agency's selection of the response action was arbitrary and capricious or was otherwise not in accordance with law.
CERCLIS:	The acronym for the Comprehensive Enforcement Response, Compensation, and Liability Information System; a national information management system for the CERCLA program. CERCLIS inventories and tracks releases, accomplishments, expenditures, and planned actions at potential and actual Superfund sites.
Cleanup Activities:	Actions taken to deal with a release or threatened release of a hazardous substance that could affect humans or the environment. The term "cleanup" is sometimes used interchangeably with the terms remedial action, removal action, response, or corrective action.
Comment Period:	Period provided for public to review and comment on a proposed EPA action, rulemaking, or settlement.
Community Relations (Involvement):	EPA's program to inform and encourage public participation in the Superfund process and to respond to community concerns and incorporate them into the Agency decision-making process.
Community Relations (Involvement) Coordinator (CRC or CIC):	Lead Agency staff who works to involve and inform the public about the Superfund process and cleanup actions.
Community Relations Plan (CRP):	A document that identifies techniques used by EPA to communicate effectively with the public during the Superfund cleanup process at a specific site. This plan describes the site history, the nature and history of community involvement, and concerns expressed during community interviews. Additionally, the plan outlines methodologies and timing for continued interaction between the Agency and the public at the site.

Consent Decree (CD): A legal document, approved by a judge, that formalizes an agreement reached between EPA and one or more potentially responsible parties (PRPs) outlining the terms under which that PRP(s) will conduct all or part of a response action, pay past costs, cease or correct actions or processes that are polluting the environment, or comply with regulations where failure to comply caused EPA to initiate regulatory enforcement actions. The CD describes the actions PRPs will take, is subject to a public comment period prior to its approval by a judge, and is enforceable as a final judgment by a court.

Contribution: A legal principle according to which an entity can seek to recover some of the response costs for which it has already resolved liability with the United States. For example, when several PRPs are liable for a hazardous substance release, EPA is not required to pursue all of the PRPs. If EPA settles with or wins its case against a subset of PRPs, then the right of contribution enables the PRPs (i.e., the settling PRPs or those against whom a judgment is rendered) to seek recovery of a proportional share from other PRPs who were not named as defendants in EPA's suit or settlement, but who nonetheless contributed to the release.

Contribution Protection: A statutory provision that provides that any PRP who resolved its liability to the United States in an administrative or judicially approved settlement is not liable to other PRPs for claims of contribution regarding matters addressed in the settlement.

Cooperative Agreement (CA): Mechanism used by EPA to provide Fund money to states, political subdivisions, or Indian tribes to conduct or support the conduct of response activities. Subpart O of the NCP, 40 CFR Part 35, outlines specific response actions that may be conducted using CA funds.

Cost Recovery: A process by which the U.S. government seeks to recover money previously expended in performing any response action from parties liable under CERCLA section 107(a). Recoverable response costs include both direct and indirect costs.

Covenant Not to Sue: A contractual agreement, such as those authorized by CERCLA section 122(f) and embodied in a consent decree or administrative order on consent, in which the Agency agrees not to sue settling PRPs for matters addressed in the settlement. EPA's covenant not to sue is given in exchange for the PRPs' agreement to perform the response action or to pay for cleanup by the Agency, and does not take effect until PRPs have completed all actions required by the consent decree and administrative order on consent.

Covenant Not to Sue (<i>cont'd</i>):	Covenants not to sue are generally given in either consent decrees or administrative orders. Under CERCLA, the use of covenants not to sue is discretionary. In effect, the Agency is authorized to agree to such a release of future liability only if the terms of the covenant include "reopeners."
Declaratory Judgment:	A binding adjudication of rights and status of litigants. Within the context of CERCLA, the United States may file a claim seeking declaratory judgment on liability for past and future response costs at the site. If declaratory judgment on liability is granted, the United States does not have to prove liability in any future action with the defendant.
Defendant:	A person against whom a claim or charge is brought in a court of law.
Demand Letter:	A written demand for recovery of costs incurred under CERCLA. The primary purposes of written demands are to formalize the demand for payment of incurred costs plus future expenditures, inform potential defendants of the dollar amount of those costs, and establish that interest begins to accrue on expenditures. A demand letter may be incorporated into the special notice letter.
De Micromis Exemption:	In general, a party shall not be liable under CERCLA section 107 if it can demonstrate that the total amount of the material containing hazardous substances that it generated and arranged for disposal at, or accepted for transport to, an NPL site was less than 110 gallons of liquid materials or less than 200 pounds of solid materials, unless those substances contributed significantly to the cost of the response action or natural resource restoration with respect to the facility; or the party has been uncooperative with EPA's response actions at the site; or the party has been convicted of a criminal violation for the conduct to which the exemption would apply.
De Minimis Contributor:	PRPs who are deemed by the settlement agreement to be responsible for only a minor portion of the response costs at a particular facility. A determination of a PRP's responsibility is made based on the volume, toxicity, or other hazardous effects in comparison with other wastes at the facility. CERCLA section 122(g)(1)(A) expressly defines de minimis contributor.
De Minimis Landowner:	PRPs who are deemed by the settlement agreement to be past or present owners of the real property at which the facility is located who did not conduct or permit the generation, transportation, storage, treatment or disposal of any hazardous substance at the facility, did not contribute to the release or threat of release of a hazardous substance at the facility through any act or omission, and had no

De Minimis Landowner (cont'd):	actual or constructive knowledge that the property was used for the generation, transportation, storage, treatment, or disposal of any hazardous substance at the time of purchase. CERCLA section 122(g)(1)(B) expressly defines de minimis landowner.
De Minimis Settlement:	An agreement, either administrative or judicial, authorized by CERCLA section 122(g), between EPA and PRPs for a minor portion of response costs.
De Novo:	Generally, a new hearing or a hearing for the second time. At a <i>de novo</i> hearing, the court hears the case as the court of original and not appellate jurisdiction. Under CERCLA, for example, a judge may hear a case <i>de novo</i> if the administrative record is found to be incomplete or inaccurate. Such a hearing would allow judicial review that is not limited to the administrative record. A potential result of a <i>de novo</i> trial could be the court selecting the remedy.
Discovery:	A pre-trial procedure that enables parties to learn the relevant facts about the case. The Federal Rules of Evidence provide for extremely broad discovery. The basic tools of discovery are depositions, interrogatories, and requests for production of documents. One of the few limitations on the scope of discovery is that the material sought must be relevant to the subject matter of the pending suit, or likely to lead to the production of relevant material.
Easement:	A right afforded to an entity to make limited use of another's real property. An easement is one form of institutional control that may be required at a Superfund site if all the hazardous substances cannot be removed from the site. Easements may include limiting access or control of surface activities.
Eminent Domain:	The power to take private property for public use. Under the U.S. Constitution, there must be just compensation paid to the owners of this property. EPA exercises its power of eminent domain through the process of condemnation.
Enforcement Actions:	EPA, state, or local legal actions to obtain compliance with environmental laws, rules, regulations, or agreements, or to obtain penalties or criminal sanctions for violations.
Environmental Justice (EJ):	The fair treatment of people of all races, incomes, and cultures with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment implies that no person or group should shoulder a disproportionate share of negative environmental impacts resulting from the execution of environmental programs.

- Explanation of Significant Differences (ESD):** A document regarding a significant change to the record of decision when new information is discovered about a site or difficulties are encountered during the remedial design/remedial action phase of cleanup. An ESD is appended to the administrative record to inform the public of any significant changes that are being made to the selected remedy.
- Extraordinary Circumstances:** Situations that justify the deletion of a standard reopener in a consent decree. This release is granted infrequently and is given in response to unusual conditions related to liability, viability, or physical circumstances.
- Federal Lien:** A lien in favor of the United States authorized by CERCLA section 107(l) that may be imposed upon a PRP's property subject to a response action. The lien arises when the PRP receives written notice of its potential liability for response costs under CERCLA, or the Agency actually incurs response costs at a particular site. The lien continues until the PRP's liability is fully satisfied or the claim becomes unenforceable by operation of the statute of limitations.
- Federal Register:** A federal government publication that includes proposed regulations, responses to public comments received regarding proposed regulations, and final regulations. The *Federal Register* is published every working day by the Office of Federal Register, National Archives and Records Administration, Washington, DC 20408. The *Federal Register* publishes regulations and legal notices issued by federal agencies. These include presidential proclamations and executive orders, federal agency documents required by Congress to be published, and other federal agency documents of public interest. The *Federal Register* is available to the public through public libraries that are federal depositories, law libraries, and large university libraries.
- Force Majeure:** A clause common to construction contracts which protects the parties in the event that a portion of the contract cannot be performed due to causes that are outside of the parties' control (i.e., problems that could not be avoided by the exercise of due care, such as an act of God). These causes are known as *force majeure* events. *Force majeure* provisions are included in administrative orders on consent and consent decrees. These provisions stipulate that the PRPs shall notify EPA of any event that occurs that may delay or prevent work and that is due to *force majeure*. Two examples of *force majeure* may be raised as defenses to liability. CERCLA section 107(b) releases from liability any person who can establish by a preponderance of the evidence that the release or threat of release of a hazardous substance was caused solely by an act of God or an act of war (i.e., *force majeure*.)

- Full Release:** An agreement by EPA to release a PRP from any further liability for response costs. Under CERCLA section 122(j)(2), natural resource trustees may grant full releases of liability for damages to natural resources.
- Fund (Hazardous Substance Superfund or Superfund Trust Fund):** A fund set up under CERCLA to help pay for cleanup of hazardous waste sites and for legal action to force cleanup actions on those responsible for the sites. The fund is financed primarily with a tax on crude oil and specified commercially used chemicals.
- General Notice Letter (GNL):** A notice to inform PRPs of their potential liability for past and future response costs and the possible future use of CERCLA section 122(e) special notice procedures and the subsequent moratorium and formal negotiation period.
- Generator:** Any person who by contract, agreement, or otherwise arranged for disposal or treatment, or arranged with a transporter for disposal or treatment of hazardous substances owned or possessed by such a person, by any other party or entity, at any facility or incineration vessel owned or operated by another party or entity and containing such hazardous substances.
- Good Faith Offer (GFO):** A written proposal submitted by a PRP to the EPA to perform or pay for a response action. PRPs are given 60 days from the special notice to provide EPA a written GFO. The GFO must be specific, consistent with the ROD or proposed plan, and indicate the PRPs' technical, financial, and management ability to implement the remedy.
- Hazard Ranking System (HRS):** The principal screening tool used by EPA to evaluate risks to public health and the environment associated with abandoned or uncontrolled hazardous waste sites. The HRS calculates a score based on the potential for hazardous substances spreading from the site through the air, surface water, or ground water, and on other factors such as nearby population. This score is the primary factor in deciding if the site should be on the NPL and, if so, what ranking it should have compared to other sites on the list. A site must score 28.5 or higher to be placed on the NPL.
- Indian Tribe:** As defined by CERCLA section 101(36), any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village, but not including any Alaska Native regional or village corporation, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

- Information Repository:** Where the administrative record, current information, technical reports, and reference materials regarding a Superfund site are stored. EPA or the state establishes the repository in the community as soon as a site is discovered. It provides the public with easily accessible information. Repositories are established for all sites where cleanup activities are expected to last for more than 45 days. Typical community repository locations include public libraries and municipal offices.
- Information Request Letter:** Formal written requests for information, authorized by CERCLA section 104(e)(2)(A) through (C), issued during an administrative investigation. EPA is authorized to request information from any person who has or may have information relevant to any of the following:
- the kind and quantity of materials that have been or are being generated, treated, disposed of, stored at, or transported to a vessel or facility;
 - the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a vessel or facility; and
 - the ability of a person to pay for or perform a cleanup.
- Failure to respond to or incomplete response to an informational request is subject to statutory penalties.
- Innocent Landowner:** A person who purchased or acquired real property without actual or constructive knowledge that the property was used for the generation, transportation, storage, treatment, or disposal of any hazardous substances. PRPs may assert this claim as part of their defense, but only the court may make this determination based on CERCLA sections 107(b) and 101(35).
- Joint and Several Liability:** A legal doctrine defining the scope of a defendant's liability. When more than one PRP is involved at a site and the harm is indivisible, the court may impose joint and several liability upon all parties involved at the site. In this instance, each PRP involved at the site may be held individually liable for the cost of the entire response action.
- Judicial Review:** The court's review of a decision rendered by a federal agency or department or a court's review of an appeal challenging either a finding of fact or finding of law. Under CERCLA, for example, the court provides judicial review prior to entry of the consent decree. In addition, the court would provide judicial review of an EPA decision if a

- Judicial Review (cont'd):** PRP submitted a "petition to review" to a federal court of appeals. The jurisdiction of the court and the scope of its review are defined by CERCLA section 113(h) and the Judicial Review Act, 28 U.S.C. §§2341-2351.
- Lead Agency:** The agency that primarily plans and implements cleanup actions. This could be EPA, state, or political subdivisions, other federal agencies, or Indian tribes. Other agencies may be extensively involved in the process, but the lead agency directs and facilitates activities related to a site, often including enforcement actions.
- Mixed Funding:** Settlements whereby EPA settles with fewer than all PRPs for less than 100 percent of the response costs. The settlement must provide a substantial portion, greater than 50 percent of the total response costs, and there must be viable non-settlers from which remaining response costs may be pursued. The three types of mixed funding settlement are preauthorization, cash-out, and mixed work.
- Mixed Work:** A type of mixed funding settlement whereby EPA and the PRPs agree to conduct discrete portions of the response action. Often EPA's portion of the work is paid for or performed by other PRPs as a result of subsequent settlements or unilateral administrative orders.
- Moratorium:** The period of time after special notice letters are issued during which the Fund will not be used to begin work at the site on the RI/FS or RA. EPA also will not seek to compel PRP action at the site during the moratorium.
- Municipal Solid Waste:** Waste material generated by a household; and waste material generated by a commercial, industrial, or institutional entity, to the extent that the waste material:
- is essentially the same as waste normally generated by a household;
 - is collected and disposed of with other MSW as part of normal MSW collection; and
 - contains a relative quantity of hazardous substances no greater than the relative quantity of hazardous substances contained in waste generated by a typical single family household.

National Oil and Hazardous Substances Pollution Contingency Plan (NCP):	The NCP is the major framework regulation for the federal hazardous substances response program. The NCP sets forth procedures and standards for how EPA, other federal agencies, states, and private parties respond under CERCLA to releases or threats of releases of hazardous substances, and under Clean Water Act section 311, as amended by the Oil Pollution Act of 1990, to discharges of oil.
Natural Resources:	Land, fish, wildlife, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, or controlled by the United States, state or local government, any foreign government, any Indian tribe, or any member of an Indian tribe.
Natural Resource Damages:	Damages for injury or loss of natural resources as set forth in CERCLA sections 107(1) and 111(b) and NCP section 300.615.
Non-Binding Preliminary Allocation of Responsibility (NBAR):	An allocation of the total cost of response among PRPs at a facility. CERCLA section 122(e)(3) allows EPA to provide NBARs to PRPs to facilitate settlement. An NBAR is not binding on the United States or the PRPs and cannot be admitted as evidence in court.
Orphan Share:	A portion of cleanup costs that cannot be assessed to a PRP as a result of either the PRP's insolvency or EPA's inability to identify PRP(s).
Owner or Operator:	Any person owning or operating a vessel or facility, or in the case of a hazardous substance being accepted for transportation, the common or contract carrier. It does not include a unit of state or local government that acquired ownership or control involuntarily through bankruptcy, tax delinquency, or abandonment.
Performance Bond:	A guarantee given by a contractor that a work assignment will be completed according to its terms and within the agreed time.
Performance Standards:	Provisions in consent decrees and administrative orders specifying specific levels of performance that site activities must achieve; often incorporated by reference into the record decision. The inclusion of such performance standards enables the Agency to assure measurable levels of cleanup that provide the protection desired.
Person:	An individual, firm, corporation, association, partnership, joint venture, commercial entity, U.S. government, state, municipality, or any interstate body.
Plaintiff:	A party who brings a legal action; the party who complains or sues in a civil action and is so named on the record.

- Potentially Responsible Party (PRP):** Any individual or entity including owners, operators, transporters, or generators who may be liable under CERCLA section 107(a).
- Preauthorization:** A type of mixed funding settlement whereby EPA preauthorizes a claim against the Fund by the PRPs for a portion of costs of conducting a response action. Once the preauthorization agreement is finalized, the PRPs conduct the response action, as outlined in settlement agreement, petition non-settling PRPs for reimbursement, and, if necessary, seek reimbursement from the Fund for the preauthorized amount not received from non-settling PRPs.
- Premium:** A sum paid or agreed to be paid by a PRP to cover risks associated with settlement. This sum represents an amount in addition to the cost of the response action. For example, a premium may be part of an early de minimis settlement due to potential inaccuracy of total response cost estimates or remedy failure.
- Record of Decision (ROD):** The official Agency document that explains which remedial cleanup alternatives have been considered, the selected remedy, technical background relative to the decision, and how the decision complies with the law.
- Recalcitrant:** A PRP that is persistently uninterested in or refuses to reach settlement or that fails to comply with a settlement or order.
- Recusal:** The voluntary or involuntary removal of a government official from any involvement in a specific matter. Recusal is used to preserve the ethical standards of public service. Recusal generally occurs when there is an appearance of a conflict between governmental responsibilities and private interest. Once a person is removed through recusal, she cannot participate in any activity relating to the matter; specifically, she cannot see any correspondence or participate in any meetings or negotiations related to the issue.
- Remand:** A legal term used when a court sends a case back to either a lower court or an administrative agency for further action. For example, under CERCLA, if an administrative record is found to be incomplete or inaccurate, one option of the reviewing court is to remand the case to EPA with instructions to compile an accurate and complete administrative record.

- Remedial Action:** A remedial action is one that is “consistent with permanent remedy taken instead of or in addition to removal actions in the event of a release or threatened release of a hazardous substance into the environment.” Generally, response actions that take longer than a non-time-critical removal and are more complex than removals.
- Removal:** A removal is “the clean up or removal of released hazardous substances from the environment, such actions as may be necessary taken in the event of the threat of release...[and] such actions as may be necessary to monitor, assess, and evaluate the release or threat of release of hazardous substances...” Such evaluations include RI/FS. Removals are classified according to urgency as “emergency,” for those requiring immediate response; “time-critical,” for those that take no more than six months; and “non-time-critical” for removals that need up to a year or more.
- Reopeners:** Contractual provisions that preserve the Agency's right to compel the PRPs to undertake additional response actions or to pay costs for Agency response actions in addition to those agreed to in the settlement. Reopeners to liability are triggered when previously unknown conditions at the site are discovered, or information previously unknown to EPA is received, that indicates the remedial action is not sufficiently protective. Reopener provisions restrict the covenant not to sue by defining the conditions under which the settlement may be re-examined.
- Remedial Investigation/ Feasibility Study (RI/FS):** Activities conducted at an NPL site by EPA, or a PRP acting under an administrative order on consent (AOC) or (rarely) a unilateral administrative order (UAO), to assess site conditions and evaluate alternatives to the extent necessary to select a remedy, described in the record of decision (ROD), that will clean up the site in accordance with CERCLA section 121.
- Remedial Design/Remedial Action (RD/RA):** Response actions performed at an NPL site by EPA or a PRP under a consent decree (CD) approved and entered by a federal court. RD is the engineered design of the remedy selected by the RI/FS; RA is the construction and continuing operation and maintenance of the remedy.
- Settlement:** Resolution of a claim. Settlement occurs when a federal or state agency has a written agreement with PRPs regarding payment for and conduct of specified response actions. Settlements may be achieved administratively through an administrative order on consent or judicially through a consent decree.

Special Account:	A sub-account of the Fund in which cash-out settlement funds may be deposited to segregate the funds and ensure that they are readily accessible for work at the site covered by the settlement.
Special Master:	A court-appointed individual who oversees the progress of a complex case before it goes to trial. The scope of the special master's authority is set forth in an order of reference. Special masters are appointed only under exceptional conditions. For example, special masters may be appointed in cases requiring the interpretation of complicated technical data or voluminous information.
Special Notice Letter (SNL):	A written notice to a PRP providing information on potential liability, conditions of the negotiation moratorium, future response actions, and demand for past costs. The SNL is authorized under CERCLA section 122(e)(1) and triggers the start of the negotiation moratorium.
Statute of Limitations (SOL):	The statutorily defined period of time within which the United States, on behalf of EPA, must file a claim for cost recovery. If the United States does not file a case within the SOL, it may not be able to recover its costs from the PRPs.
Stipulated Penalties:	Fixed sums of money that a defendant agrees to pay for violating the terms of a settlement. Procedures for invoking and appealing stipulated penalties and penalty amounts are agreed to in the administrative order on consent or the consent decrees.
Strict Liability:	Legal responsibility for damages without regard to fault or diligence. The strict liability concept in CERCLA means that the federal government can hold PRPs liable without regard to a PRP's fault, diligence, negligence, or motive.
Transporter:	A person who "accepts or accepted any hazardous substances for transport for disposal" to any site selected by such person, "from which there is a release or threatened release which causes the incurrence of response costs, of a hazardous substance..."
WasteLAN:	The acronym for Waste Local Area Network. For historical reasons, EPA's regions use it when referring to CERCLIS.