

TRI-STATE CHAT SALES DOCUMENTATION AND CHECKLIST FOR COMPLIANCE WITH THE CHAT RULE

Certification and Recordkeeping of Acceptable Uses of Chat

The acquirer of chat, and any other person that receives the chat, will maintain a copy of the certification for three years following transmittal to the State departments(s) of the environment.

1. The site operator should inform the chat buyer/user of acceptable uses described in the Chat Rule, 40 CFR Part 278, and its preamble, and the EPA June 2007 Fact Sheet entitled: "Tar Creek Superfund Site, Tri-State Mining district – Chat Mining Waste" (attached).
2. The chat buyer/user shall submit a signed, written certification (attached) to the environmental regulatory agency in the State where the chat is to be used and the EPA within 30 days of the date of acquisition. If the chat is sold or transferred to another party, the acquirer shall provide a copy of the certification to the new owner of the chat. The new owner shall submit a certification according to § 278.4(a)(1). The new certification supersedes all previous certifications.

The certification shall contain the following:

- a. Location of origin of the chat;
 - b. Amount of chat acquired; and
 - c. Certification Statement: I certify under penalty of law that the chat used in this transportation project (or other project – specify) will meet EPA criteria found in 40 CFR Part 278, §278.3, and the EPA June 2007 Fact Sheet entitled: "Tar Creek Superfund Site, Tri-State Mining district – Chat Mining Waste".
3. The site operator will maintain a copy of the certification for three years.

