The Undersigned Parties enter into this Consent Decree in the matter of [insert case name and civil action number], relating to the [insert site name and location]:

.1 ... 10.

Date:	ne United States of America
Natura	nt Attorney General, Environment an Resources Division, U.S. Departmen ce, Washington, D.C. 20530
[Name	States Attorney, [Address]
Section Division	y, Environmental Enforcement , Environment and Natural Resource n, U.S. Department of Justice, P.O. Bo /ashington, DC 20044-7611
	nl Administrator, Region [ ], U.S. amental Protection Agency. ss]
Enviro [Addre The this C [insert numb	nt Regional Counsel, U.S. nmental Protection Agency. ss] Undersigned Party enters into onsent Decree in the matter of case name and civil action orl, relating to the
-	DEFENDANT [ ]
signate Age	nt Authorized to Accept Service alf of Above-signed Party:
Minin Order	CERCLA Section 122(g)(4) De is Contributor, Administrative on Consent
I. Juris II. Stat III. Def IV. Sta V. Dete VI. Ord VII. Pa VIII. Fa IX. Cer	ment of Purpose nitions ement of Facts rminations er

XI. Reservations of Rights by United States

XII. Convenant Not to Sue by Respondents

XIII. Effect of Settlement/Contribution

Protection

XIV. Parties Bound

XVI. Public Comment

XV. Integration/Appendices

XVII. Attorney General Approval XVIII. Effective Date

Model CERCLA Section 122(g)(4) De Minimis Contributor, Administrative Order on Consent

[U.S. EPA Docket No. \_\_\_\_\_

In the Matter of: [Insert Site Name and Location], Proceeding under Section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9622(g)(4).

## I. Jurisdiction

1. This Administrative Order on Consent ("Consent Order" or "Order") is issued pursuant to the authority vested in the President of the United States by Section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(g)(4), to reach settlements in actions under Section 106 or 107 of CERCLA, 42 U.S.C. 9606 or 9607. The authority vested in the President has been delegated to the Administrator of the United States **Environmental Protection Agency** ("EPA") by Executive Order 12580, 52 FR 2923 (Jan. 29, 1987), and further delegated to the Regional Administrators of the EPA by EPA Delegation No. 14-14-E [insert reference to Regional redelegation, if

2. This Administrative Order on Consent is issued to the persons, corporations, or other entities identified in Appendix A ("Respondents"). Each Respondent agrees to undertake all actions required by this Consent Order. Each Respondent further consents to and will not contest EPA's jurisdiction to issue this Consent Order or to implement or enforce its terms.

3. EPA and Respondents agree that the actions undertaken by Respondents in accordance with this Consent Order do not constitute an admission of any liability by any Respondent.

Respondents do not admit, and retain the right to controvert in any subsequent proceedings other than proceedings to implement or enforce this Consent Order, the validity of the Statement of Facts or Determinations contained in Sections IV and V, respectively, of this Consent Order.

## II. Statement of Purpose

[Note: As drafted, this Statement of Purpose assumes that all respondents are making a cash payment, which includes a premium amount, in exchange for a full and final settlement with EPA for all civil liability under CERCLA Sections 106 and 107 with respect to the site as a whole. This Statement of Purpose will need to be amended if the

settlement is of narrower scope with respect to some or all respondents because, e.g., it relates to only one operable unit, or it includes a reservation of rights for cost overruns. When using this or any other Statement of Purpose, be sure that the provision is consistent with the Covenant Not to Sue, the Reservations of Rights, and the definition of "matters addressed" in the Contribution Protection provision.]

- 4. By entering into this Consent Order, the mutual objectives of the Parties are:
- a. to reach a final settlement among the Parties with respect to the Site pursuant to Section 122(g) of CERCLA, 42 U.S.C. 6922(g), that allows Respondents to make a cash payment, including a premium, to resolve their alleged civil liability under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for injunctive relief with regard to the Site and for response costs incurred and to be incurred at or in connection with the Site, thereby reducing litigation relating to the Site;
- b. to simplify any remaining administrative and judicial enforcement activities concerning the Site by eliminating a [substantial] number of potentially responsible parties from further involvement at the Site; and
- c. to obtain settlement with Respondents for their fair share of response costs incurred and to be incurred at or in connection with the Site by the EPA Hazardous Substance Superfund, and by private parties, to provide for full and complete contribution protection for Respondents with regard to the Site pursuant to Sections 113(f)(2) and 122(g)(5) of CERCLA, 42 U.S.C. 9613(f)(2) and 9622(g)(5).

## III. Definitions

- 5. Unless otherwise expressly provided herein, terms used in this Consent Order that are defined in CERCLA or in regulations promulgated under CERCLA shall have the meaning assigned to them in the statute or regulations. Whenever the terms listed below are used in this Consent Order, the following definitions shall apply:
- a. "CERCLA" shall mean the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601. et sea.
- b. "Consent Order" or "Order" shall mean this Administrative Order on Consent and all appendices attached hereto. In the event of conflict between this Order and any appendix, the Order shall control.
- c. "Day" shall mean a calendar day. In computing any period of time under this Consent Decree, where the last day