

Example Innocent Owner/Operator Public Notification Letter

[Date]

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

[Adjacent Property Owner Name]  
[Adjacent Property Owner Address]  
[City, TX Zip]

Re: Notification of Application to TCEQ Innocent Owner/Operator Program (IOP)  
[Site Address]  
[City, TX, County Zip]  
IOP Project No. [IOP No.]

Dear Mr. /Ms. [Contact for Adjacent Property Owner]:

This letter was prepared to inform you that an IOP application has been submitted to the Texas Commission on Environmental Quality (TCEQ) by [IOP Applicant], the owners/operators of [Name of IOP Site] located at [IOP Site Address] adjacent to your property at [Recipient's Property Address]. The application was submitted in response to the discovery of [type of contamination] in [media type] on [Name of IOP Site]'s property, which the owners/operators contend has migrated to their property from an off-site source.

Additionally, [Name of other IOP Applicant(s)] is/are included in the IOP application and is/are listed as [interest in the property].

The law creating the IOP became effective September 1, 1997 and was drafted to provide immunity from liability under the Texas Water Code and Health and Safety Code for owners/operators of property that has been contaminated by an off-site source. The law also provides for issuance of a certificate confirming the person is an innocent owner/operator and thereby not liable for the contamination if the person makes an adequate demonstration to TCEQ that the contamination has migrated from an off-site source and that activities on the property did not contribute to the contamination. The owner/operator of [Name of IOP Site] has submitted an application and site investigation report for TCEQ review requesting an evaluation of information they believe will support their status as innocent owner or operator.

You are not required to respond to this letter; however, if you have any information that may affect the TCEQ's evaluation of contamination on [Name of IOP Site]'s property or have any questions regarding this notice, please contact please contact the TCEQ Project Manager, [Project Manager], at [telephone number with area code] with questions concerning this notice. Any such information must be provided within 14 days of receipt of this letter and may be sent to the above TCEQ Project Manager via Fax at (512) 239-1212, sent by regular mail to the TCEQ, MC 221, P.O. Box 13087, Austin, Texas 78711-3087 or by express mail at 12100 Park 35 Circle, Austin, Texas 78753. Please reference IOP No. [IOP No.] in any correspondence or when contacting TCEQ. Should you have any questions for [IOP Applicant], please contact [Contact Person for IOP Applicant] at [phone number with area code].

Sincerely,

[IOP Applicant or Applicant's Consultant]  
Title

cc: [IOP Project Manager Name], TCEQ, IOP Project Manager, Remediation Division, MC-221