

**PRIVILEGED DOCUMENT**

**This document is protected from public disclosure pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §552(b), exemption number:**

**(check all that apply)**

- 1. national security
- 2. internal personnel rules and practices of an agency
- 3. prohibited from disclosure by another federal statute:  
(specify) \_\_\_\_\_
- 4. confidential trade secrets and/or commercial/financial information
- 5. inter-agency and/or intra-agency communications:  
(specify)
  - deliberative process
  - attorney-client privilege
  - attorney work product
  - settlement negotiation privilege
  - other privilege: (specify) \_\_\_\_\_
- 6. personal privacy
- 7. information compiled for law enforcement purposes where disclosure could reasonably be expected to:  
(specify)
  - A. interfere with enforcement proceedings
  - B. deprive a person of the right to a fair trial or impartial adjudication
  - C. constitute an unwarranted invasion of personal privacy
  - D. disclose a confidential source
  - E. risk circumvention of the law because of disclosure of law enforcement guidelines or procedures
  - F. endanger the life or physical safety of any individual
- 8. information used by agencies regulating or supervising financial institutions
- 9. oil and gas well information

## ATTACHMENT 3

Enforcement Confidential Addendum  
Do Not Release under FOIA or during Civil Discovery  
Attorney Work Product

Liabile parties at this Site include the property owner and the shipping agents that are the owners of the cylinders. EPA has received responses from two of the four PRPs that were issued general notices of federal interest, dated 27 January 2004. The response from the property owner states that it does not have the financial ability to complete an appropriate response action. The response from one of the shipping agents states that it does not believe the cylinders are its property and, therefore, it should not be held responsible for the response action. EPA will conduct additional investigation to support claims for cost recovery pursuant to 42 U.S.C. § 9607(a).