

# A Midwest CERCLA Case Study

## Research Inquiry

In 2014, the EPA named potentially responsible parties (PRPs) for liability at a Midwest CERCLA site. One of the PRPs hired SHRA to research the history of its predecessor company so that the PRP could better assess potential defense strategies. The predecessor had operated mineral processing on the site during the early 20th century, and had ties to mines across the country, increasing the complexity and reach of the site's history. SHRA was asked to untangle these relationships and tell the site's story through historical documentation.

## Methodology

SHRA worked to fill a substantial gap in knowledge and documentation that existed during a critical period of the site's history, specifically during the predecessor company's ownership. As part of the research strategy, SHRA traced the relationship between the parent company and its subsidiary during the course of historic operations. SHRA researchers identified several repositories that housed key archival collections, and uncovered a substantial amount of correspondence as well as financial accounting documents that aided the client in closing some of the gaps in the chain of information. The original documents SHRA located also helped in analyzing the chain of command at the site, thus providing a defense against the EPA's direct liability claim.

## Research Conclusion

Through primary and secondary source research, SHRA illuminated not only how the predecessor company operated, but also its corporate relationship with subsidiaries, which proved critical in this piercing-the-corporate-veil CERCLA case. The client remains in negotiations with the EPA.

## Repositories and Collections Consulted

- Marriott Library, Special Collections, University of Utah
- Brigham Young University Special Collections
- U.S. National Archives:
  - Records of the War Industries Board
  - Office of Alien Property Custodian
  - Patent and Trademark Office
  - Office of Chief of Ordnance
- Historic Maps
- U.S. Geological Survey Publications

## Deliverables

- Archival Documents
- Project Database
- Historical Analysis



Contact Jennifer Stevens, Ph.D., for references  
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