

CONTRACTOR'S/CONSULTANT'S AFFIDAVIT

STATE OF GEORGIA  
COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned attesting authority in and for said State and County, the following deponent, who being first duly sworn, on oath deposes and says as follows:

1. That he/she is the \_\_\_\_\_ of \_\_\_\_\_, the contractor  
(Title) (Contractor/Consultant Company Name)  
who recently contracted with \_\_\_\_\_, as Owner/Operator of the  
(Owner/Operator)  
underground storage tanks (USTs) to render services for the site investigation, free product, recovery, preparation of a corrective action plan (CAP) and other appropriate corrective action for the remediation and cleanup of petroleum contamination from a release or spill of petroleum at the following facility:  
\_\_\_\_\_, EPD Facility ID \_\_\_\_\_.

2. Said \_\_\_\_\_ has fully completed the tasks and services represented by  
(Contractor/Consultant)  
invoices [attached hereto as Exhibit "A"] [numbered \_\_\_\_\_ and dated \_\_\_\_\_, respectively], according to the terms of CAP; however, the aforementioned invoices **have not been paid** by \_\_\_\_\_ to \_\_\_\_\_.  
(Owner/Operator) (Contractor/Consultant)

3. That the costs presented in the invoices identified herein represent actual costs incurred in the performance of corrective actions at the facility identified herein during the period indicated on the invoices; that these costs have not been submitted as part of any other reimbursement request; that a release has occurred from a petroleum underground storage tank at this facility; and that no changes are presented as a part of these invoices that do not directly relate to the performance of corrective actions related to the release of petroleum at this facility.

4. With full knowledge of the penalties for false swearing and/or perjury, this Affidavit is made for the purpose of inducing \_\_\_\_\_ to apply for reimbursement from  
(Owner/Operator)  
the GUST Trust Fund of the amount represented by the aforementioned invoices and is further made for the purpose of inducing the Georgia Environmental Protection Division to reimburse to \_\_\_\_\_ the sums represented by the aforementioned invoices or an amount as  
(Contractor/Consultant)  
determined eligible for reimbursement by EPD for the services so performed by  
\_\_\_\_\_.  
(Contractor/Consultant)

\_\_\_\_\_  
Deponent

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

OWNER'S/OPERATOR'S AFFIDAVIT

STATE OF GEORGIA  
COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned attesting authority in and for said State and County, the following deponent, who being first duly sworn, an oath deposes and says as follows:

1. That he/she is the \_\_\_\_\_ of \_\_\_\_\_, the Owner/Operator  
(Title)  
of the following facility: \_\_\_\_\_, EPD Facility ID \_\_\_\_\_.
2. That a release of petroleum occurred at the Facility and that \_\_\_\_\_ was  
(Contractor/Consultant)  
retained as a remediation contractor/consultant to perform corrective action at the facility according to the rules and regulations as promulgated by the Georgia Department Of Natural Resources.
3. That as the remediation contractor/consultant for the cleanup of the Facility, \_\_\_\_\_ submitted invoices [numbered \_\_\_\_\_ and dated \_\_\_\_\_, respectively] [attached hereto as Exhibit "A"] (invoices) for remediation services performed at the facility and accepted by \_\_\_\_\_ but that said invoices are at this time **unpaid** but due  
(Owner/Operator)  
and payable.
4. That \_\_\_\_\_ is willing to accept a check payable to \_\_\_\_\_ and  
(Owner/Operator) (Owner/Operator)  
\_\_\_\_\_ as complete and full reimbursement for the amount of funds  
(Contractor/Consultant)  
sought as reimbursement from the GUST Trust Fund in accordance with the Owner's approved corrective action plan (CAP).
5. That the costs represented by the Invoices represent actual costs incurred in the performance of corrective actions at this facility during the period of time represented On the Invoices; that the corrective actions performed were reasonable, necessary and Accepted by the Owner with no rights of setoff or other undisclosed credits not represented on the Invoices; that these costs have not been submitted as a part of any other reimbursement request; and that no charges are represented by these Invoices that do not directly relate to the performance of corrective actions related to the release of petroleum at this facility.
6. With full knowledge of the penalties for false swearing or perjury or submitting false information to EPD, this Affidavit is made for the purpose of inducing EPD to issue a reimbursement check in the amount represented by the invoices and as ultimately approved by EPD, payable jointly to \_\_\_\_\_ and \_\_\_\_\_.  
(Owner/Operator) (Contractor/Consultant)
7. That the Owner acknowledges that reimbursement from the GUST Trust Fund for cleanup Costs does not in any way represent a determination by EPD that the owner or operator is complying with all applicable laws and rules relating to the subject cleanup and that the liability for any difference in any funds approved and reimbursed hereunder and the amounts invoiced is solely the responsibility and liability of the Owner/Operator.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Owner/Operator

\_\_\_\_\_  
Notary Public