CONSENT TO ACCESS FOR VAPOR INTRUSION INVESTIGATION/RESPONSE SAMPLING

FOIA Exemption 6

(Dog 3)

Property Owner(s)/Tenant(s): [redacted]

Property Description: [redacted]

Right of Entry. I am the owner, representative of the owner, or tenant of the property described above. I hereby consent to the U.S. Environmental Protection Agency (EPA) and its authorized employees, contractors, and agents to enter, investigate, and/or sample the described property, and conduct activities to respond to the release or threat of release of hazardous substances, pollutants, or contaminants at, on, and/or from, the property, in accordance with Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604.

Scope of Access. The investigation and/or response may include locating equipment on the property in preparation for, and in the course of, the investigation/response, and collecting samples from the property as follows:

Indoor Air Sampling – involves the placement of one or more sampling devices within the property. Sample devices will collect air over a period of several hours or overnight. The EPA will then retrieve the sampling device and analyze its contents to determine whether contaminants are present in the indoor air, and if so, at what levels. Due to variability of indoor air concentrations, more than one sampling event may be required.

Sub-Slab Sampling – involves the installation of small, flush-mounted sampling ports through the property's slab foundation. Through these ports the EPA will collect vapor samples. This process may take several hours or overnight. The EPA will then retrieve the sampling device and analyze its contents to determine whether contaminants are present, and if so, at what levels. Due to the variability of sub-slab vapor concentrations, more than one sampling event may be required. Once the sub-slab sampling is complete, the EPA will grout and abandon the ports.

Restoration of Property. I recognize that the performance of such actions may require some disturbance of the property and that the EPA will attempt to minimize such disturbance, and that areas of disturbance will be restored as nearly as possible to prior condition by the EPA, subject to the availability of appropriated funds.

Liability. I understand that the EPA requires its contractors to maintain comprehensive vehicle liability insurance, and comprehensive general liability insurance for bodily injury, death, and loss or damage to property or third persons arising from their activities. I also understand that the EPA's liability for damages to the property or injuries to persons which result from or are caused by its activities on the property shall be to the extent permitted by the Federal Tort Claims Act (28 U.S.C. §§ 1346(b), 2671 - 2680) and the Federal Employee's Compensation Act (5 U.S.C. §§ 8101 - 8151).

Term. The consent granted hereby will terminate upon the EPA's notifying me that the environmental investigation/response is complete.

This written permission is given by me voluntarily and without threats or promises of any kind. By my signature I acknowledge that I am authorized to grant the access provided for herein.

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2/27/02

Date

Title

1.9.20 kln/kcr