



U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7

*Use only for Properties within Region 7
Iowa, Kansas, Missouri, Nebraska, and Tribal Lands
bordered by these states*



**Consent for Access to Property for the U.S. Environmental Protection Agency
Targeted Brownfields Assessment**

As an applicant to the U.S. Environmental Protection Agency (EPA) Targeted Brownfields Assessment (TBA) program, EPA requires site access to perform the requested Phase I and Phase II Environmental Site Assessments (ESA). As such, EPA requires the signature of the property owner on the attached Consent for Access to Property form. Your TBA application will be considered complete and ready for EPA review once EPA receives the signed Consent for Access to Property form.

Below is a brief description of Phase I and Phase II site assessments. Environmental assessment work would be carried out by EPA's authorized representatives, Toeroek Associates, Inc. and/or Tetra Tech, Inc. If you have questions, please contact Lisa Dunning at 913-551-7964 or Dunning.Lisa@epa.gov.

TBA Background and General Scope of Phase I and Phase II Work

EPA's TBA program helps states, tribes, and municipalities minimize the uncertainties of contamination often associated with brownfield sites. This program supplements other efforts under the Brownfields Program to promote the cleanup and redevelopment of brownfield sites. TBAs are conducted by an EPA contractor on behalf of an eligible entity. Services include site assessments, cleanup options and cost estimates, and community outreach.

A TBA may encompass one or more of the following activities:

- An ASTM Phase I environmental site assessment, which includes a background and historical investigation and site inspection;
- An ASTM Phase II full environmental site assessment, which includes sampling activities to identify types and concentrations of contaminants and any areas of contamination;
- A Hazardous Material Survey, which includes an inspection for presence of asbestos-containing building materials, chlorinated biphenyls in caulk, and lead-based paint; and
- The determination of how much more investigation is needed and/or the establishment of cleanup options and cost estimates based on future uses and redevelopment plans.

TBAs are considered a grant of services and are conducted by environmental consultants currently under contract with EPA. It is also important to note that the TBA program does not provide assistance to conduct site cleanup or building demolition activities.

CONSENT for ACCESS to PROPERTY FORM for

Targeted Brownfields Assessment

1. Property Owner(s)/Tenant(s):

2. Property Description:
Site Property Address
Street Address: _____
City, State, Zip Code: _____
Assessor's Parcel Number (if applicable) _____

3. Right of Entry: I am the owner, representative of the owner, or tenant of the Property described above. I hereby consent to and authorize the City of _____, _____, the United States Environmental Protection Agency, and the _____, and their representatives, employees, agents and contractors (collectively, Agencies) to enter upon such Property, and perform and carry out Phase I and Phase II Environmental Assessments and associated investigation and sampling pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. §§ 9601-9675. The duration of TBA-related activities shall be determined and agreed upon before initiation of work, with anticipation of work being completed within a year.

4. Scope of Access:
 - A. I consent to provide the Agencies access to the above-described Property for the purpose of performing environmental assessments, including obtaining samples (soil, subsurface soil, air, water, groundwater and other substances) and locating utilities and/or equipment on the Property in preparation for, and in the course of, such environmental assessments.
 - B. I agree not to take any actions with respect to the Property that might endanger the quality of the samples or the health and safety of any person taking such samples.
 - C. I will receive at least forty-eight hours notice of the necessity to take any follow-up samples. I will not unreasonably withhold consent for such additional sampling.
 - D. All material and equipment utilized by the Agencies will be removed from the Property upon the completion of the environmental assessment activities authorized hereunder and that the Property will be restored as nearly as reasonable to its original state and condition existing immediately preceding the beginning of

activities set forth in this consent form, provided that if any monitoring wells are required they may be left on the Property until the need for the same no longer exists, whereupon the Agencies may abandon the monitoring wells by plugging or other approved methods. I consent to provide the Agencies access to such monitoring wells beyond the term of this consent form as necessary to take additional samples and to maintain the monitoring wells.

- 5. Liability: I understand that 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 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).

- 6. Term of Consent: This consent granted hereby will terminate within one year of my execution of this consent form.

I have read this consent form and understand that it grants permission to the City of _____, _____, the United States Environmental Protection Agency, and the _____, and their representatives, employees, contractors, and agents, to enter the above-described Property for purposes of conducting environmental assessment activities and agree to its terms and conditions. I have given this written permission 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.

Property Owner Signature: _____

Property Owner Printed Name: _____

Date: _____

Phone Number: _____

Email Address: _____

Name of EPA Targeted Brownfields Assessment Applicant:
