APPENDIX F
Access Consent Forms

Prior to conducting any sampling or cleanup activities at a residential property, written consent is generally needed from the property owner; access obtained from tenants or renters is not sufficient. It is essential to begin access procurement as early as possible in the response process to avoid potentially lengthy delays. It is recommended that access be obtained by going door-to-door. If residents are not home, a blank access consent form with instructions and posted-paid return envelope for signature and submission to EPA, along with relevant contact information, should be left at the residence. If possible, access for remediation should be obtained at the same time access for sampling is sought. Combining sampling and cleanup access will avoid potentially lengthy delays. Additionally, access should be obtained for any interior dust sampling and/or cleaning that is expected to be performed at the residence. If the property owner denies access to a property, EPA may issue unilateral administrative orders[1]. An alternative to issuing orders is to consider obtaining public sampling easements/rights of way in the residential area to begin characterization efforts. EPA also has the authority to seek judicial action against property owners who ignore administrative orders. Example access consent forms used at a Superfund site are provided in Appendix H.

[1] Note that the sampling results may require the homeowner to provide the results to a prospective purchaser per the Lead Disclosure Rule. In the event that a cleanup action is taken, then the cleanup level could serve as evidence that there is no unacceptable risk at the property, depending on the cleanup levels achieved.