

United States Environmental Protection Agency Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

**CONSENT FOR ENTRY AND ACCESS TO PROPERTY**

Description of property (including address if applicable) for which consent to access is granted:

Hereinafter the property described above is referred to as the "Property."

Name of Signatory: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Relationship to property (e.g., partial owner, owner in fee, lessee, agent or employee of owner): \_\_\_\_\_

**[If the signatory is not the owner in fee simple or an agent of the owner in fee, please insert the following language before "I HEREBY CONSENT" in the text below: "TO THE EXTENT OF MY RIGHT, TITLE, AND INTEREST IN THE PROPERTY,"]**

**I HEREBY CONSENT** to officers, employees and parties authorized by the U.S. Environmental Protection Agency (EPA), entering and having continued access to the property described above at reasonable times for the following purposes:

- Determining the volume of mill tailings known as "chat" and other contaminated mining or milling waste on the property;
- Taking photographs or digital recordings of the mining or milling waste including chat deposits, and taking photographs or digital recordings of EPA's sampling and excavation activities on the property;
- Sampling the chat deposits, other mining and milling waste, and surface soil on the property by removing small quantities of those materials from the property for laboratory analysis (the purpose of this sampling is to determine whether lead concentrations in the materials exceed the remediation goals identified in EPA's February 20, 2008, Record of Decision for Operable Unit 4 of the Tar Creek Superfund Site (hereinafter the "ROD") (the ROD is available on the internet at [http://www.epa.gov/earth1r6/6sf/pdffiles/rod\\_tar creek\\_ou4\\_final022008.pdf](http://www.epa.gov/earth1r6/6sf/pdffiles/rod_tar creek_ou4_final022008.pdf));
- Installing a temporary haul road within the property to perform the response action and removing it after the action is completed;
- Excavating the chat, and any contaminated soil or contaminated mining and milling waste

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using excavation equipment, placing it in a truck, and removing it from the property, using dust control measures to prevent contamination;

- Measuring the total volume of chat removed from the property (this information will be provided to the property owner and chat owner(s);
- Contouring the excavated areas to promote drainage if possible;
- Sampling rural residential soil and water for the purpose of investigating the degree of contamination related to historical mining operations and taking photographs to record the sampling process;
- Taking photographs or digital recordings of exterior and crawl space of rural residence;
- Taking necessary survey measurements for future remediation; and
- Taking the necessary and appropriate response actions at rural residence to remediate lead contaminated yards and provide an alternative water supply, if needed.

I realize that these actions are undertaken pursuant to EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Sections 9601-9675. This written permission is given by me voluntarily with the knowledge of my right to refuse and without threats or promises of any kind.

Unless agreed to in writing by the owner, this agreement expires 30 days after EPA completes its work on the property.

**I HEREBY WARRANT** that I have authority to make this access agreement. *[If the signatory is not the fee simple owner or an agent of the owner, add the following after "agreement": "to the extent of my right, title, and interest in the Property"*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

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