

THIRD-PARTY COOPERATION AGREEMENTS

When a person proposes or implements a remedy that relies on access to properties owned by third parties for remediation or monitoring, documentation of cooperation or agreement must be submitted to the Department. The Department recommends that remediators create a written agreement with project-specific information for third parties to sign so that remediators have that agreement in writing. Below is sample language that remediators can use for Third-Party Cooperation Agreements:

“I/We understand that the Pennsylvania Department of Environmental Protection requires documentation of cooperation or agreement when a remediator proposes or implements a remedy that relies on access to properties owned by third parties for remediation or monitoring. The remedies proposed for the remediation of the property located at [address], which I/we own, are listed below:

[list of technical requirements for Post Remediation Care Plan, signing covenant, technical reports, access for remedial work and/or sampling, etc.]

I/we have reviewed these [*Choose one or multiple items that apply: engineering controls/institutional controls/remediation activities/ other necessary items as appropriate*] and understand them. Therefore, I/we agree to cooperate with the remediator to facilitate the investigation, remediation, attainment demonstration, and post-remedial efforts associated with the environmental investigation on my/our property. I/We understand that postremediation care efforts may require activity and use limitations on my/our property and that activity and use limitations used to demonstrate or maintain attainment of a remediation standard must be in the form of an environmental covenant. Therefore, I/We agree to work with the remediator to record an environmental covenant on my/our property.”

Include signature and date lines for the property owner/operator and the remediator. A signed copy of the agreement can be attached to plans/reports submitted to the Department as documentation of agreement to cooperate with the project.