



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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ACCESS AGREEMENT
Between the
State of Washington, Department of Ecology,
and
Kitsap County Parks and Recreation

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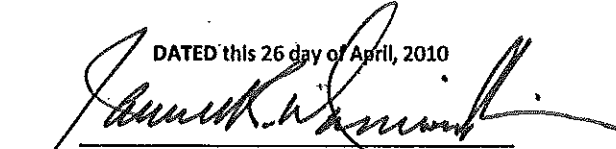
The Washington State Department of Ecology (Ecology) and Kitsap County Parks and Recreation agree to the following terms and conditions of this Access Agreement:

1. Ecology is responsible for the regulation of the Underground Storage Tanks in Washington pursuant to Chapter 90.76 RCW and Chapter 173-360 WAC. Further, Ecology is responsible for the investigation and remediation of hazardous waste sites in Washington pursuant to the Model Toxic Control Act (MTCA), Chapter 70.105D RCW and Chapter 173-340 WAC.
2. Upon reasonable notice (unless an emergency prevents such notice), Ecology or an authorized representative of Ecology, may exercise the power to enter upon a premises or site on which a regulated underground storage tank is located or on which records relevant to the operation of a regulated underground storage tank system are kept. RCW 90.76.060; WAC 173-360-140.
3. Upon reasonable notice (unless an emergency prevents such notice), Ecology or an authorized representative of Ecology, may also exercise the power to enter upon any property to conduct investigations of releases or threatened releases of hazardous substances, and to conduct remedial action to remedy the releases or threatened releases of hazardous substances. RCW 70.105D.030(1)(a) & (b); WAC 173-340-800.
4. Gary and Joanne Erickson is the owner/operator of a site or premises on which two former underground storage tanks are located and on which a release or threatened release of hazardous substances has or may occur. The site or premises is known as Hansville General Store and is located at 7532 NE Twin Spits Road, Hansville, WA 98340. The legal description of Kitsap County Parks and Recreation property is: PLEASE SEE ATTACHED TAX DESCRIPTION FOR TAX ACCOUNT 162802-4-016-2008.
5. By signing this Access Agreement, Kitsap County Parks and Recreation grants full access rights to Ecology and/or any authorized representative of Ecology for the purpose of investigation, removal, and remediation of release from two underground storage tanks. This may include, but is not limited to, inspecting, testing, and sampling soil and groundwater.

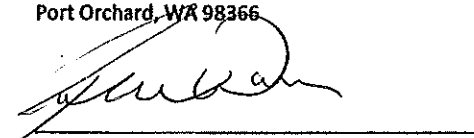


6. Ecology or its authorized representative and Kitsap County Parks and Recreation shall comply with all applicable federal and state laws and regulations in carrying out the terms of this Access Agreement. Ecology and Kitsap County Parks and Recreation shall defend, protect, and hold harmless the other party from and against all claims, suits, or actions arising from the negligent acts or omissions of their respective employees and/or authorized representatives while performing under the terms of this Access Agreement.
7. Ecology and Kitsap County Parks and Recreation may mutually amend this Access Agreement. Any amendments shall not be binding on either party unless such amendments are in writing and signed by an authorized representative of each party.
8. The term of this Access Agreement shall be for the time period necessary for Ecology to complete all investigative and remedial actions described in this Agreement.
9. The Access Agreement between Ecology and Kitsap County Parks and Recreation contains all the terms and conditions agreed upon by and between the parties. No other understandings, verbal or otherwise, regarding the subject matter of this agreement shall be enforceable on any of the parties.
10. The undersigned representatives for Ecology and Kitsap County Parks and Recreation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Agreement and to legally bind such party thereto.
11. The project access period will begin May 1, 2010 and extends until December 31, 2011.

DATED this 26 day of April, 2010



Mr. James R. Dunwiddle, Director
Kitsap County Parks and Recreation
614 Division Street, MS #1
Port Orchard, WA 98366



Robert W. Warren, P.Hg, MBA
Regional Section Manager
Northwest Regional Office
Toxic Cleanup Program
Department of Ecology