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DEPT OF ECOLOGY  
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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  
Washington State Department of Ecology  
and  
Mr. James Clark and Ms. Elaine Clark


The Washington State Department of Ecology (Ecology) and Mr. James Clark and Ms. Elaine Clark (collectively, "the Parties") agree to the following terms and conditions of this Access Agreement:

1. Ecology is responsible for the investigation and remediation of hazardous waste sites in Washington pursuant to the Model Toxics Control Act (MTCA), Chapter 70.105D RCW and Chapter 173-340 WAC.
2. Upon reasonable notice (unless an emergency prevents such notice), Ecology may exercise the power to enter upon any property to conduct investigations of a release of a hazardous substance, and to conduct remedial actions (including investigations) to remedy releases of hazardous substances. RCW 70.105D.030 (1) (a) & (b); WAC 173-340-800.
3. Mr. James Clark and Ms. Elaine Clark ("Property Owner") are the owners of real property located at 2415 E McGraw Street, Seattle WA ("Property"). The legal description of this property is:  
THE EAST 6 FEET OF LOT 2 AND THE WEST 50 FEET OF LOT 3, BLOCK 29, PIKES 2<sup>ND</sup> ADDITION TO UNION CITY
4. The Property is either known to be, or has the potential to be, impacted by gasoline range petroleum hydrocarbons from the former Circle K 1461 Station. The former Circle K 1461 Station is a known hazardous waste site, generally located at 2350 24<sup>th</sup> Ave E Seattle, Washington. Mr. Kuk-Jin Choung has been designated a "potentially liable person" for the Site under MTCA.
5. By signing this Access Agreement, Property Owner grants full access rights to Ecology, and/or any authorized representative(s) of Ecology, for the purpose of investigating and remediating the release or threatened release of hazardous substances from the former Circle K 1461 Station. This includes, but is not limited to advancing one soil boring in the southern portion of the drive way in front of the garage. Ecology will attempt to provide reasonable advance notice of entry by calling the Property Owner at telephone number (206) 325-5923, or notifying Property Owner in person at least 24 hours in advance of entry on the Property.

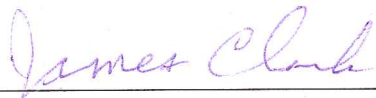


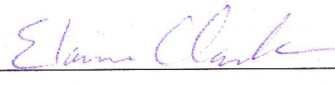
6. The term of this Access Agreement shall be for the time period necessary for Ecology to complete all investigative and remedial actions involving the release or threatened release of hazardous substances from the former Circle K 1461 Station at the Property that is impacted or is potentially impacted by the Site.
7. Each Party shall defend, protect, and hold harmless the other Parties from and against all claims, suits or actions arising from the negligent acts or omissions of its employees and/or authorized representatives while performing under the terms of this Access Agreement.
8. The Parties may mutually amend this Access Agreement. Any amendments shall not be binding on any party unless such amendments are in writing and signed by an authorized representative of each party.
9. The Access Agreement between the Parties contains all 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.

Department of Ecology

  
\_\_\_\_\_  
Date: 6-20-16  
Robert W. Warren  
Section Manager, Northwest Region Toxics Cleanup Program  
Department of Ecology

Property Owner

(signature)  \_\_\_\_\_ Date: 6/14/2016  
(print name) James Clark

(signature)  \_\_\_\_\_ Date: 6/14/2016  
(print name) Elaine Clark