SECOND PERIODIC REVIEW REPORT
FINAL

Cooper Point Village Mart
Facility Site ID#: 80423515
Cleanup Site ID# 6690

3210 Cooper Point Road
Olympia, Washington 98502

Southwest Regional Office

TOXICS CLEANUP PROGRAM

August 2017

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1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup conditions and monitoring data to ensure that human health and the environment are being protected at the Cooper Point Village Mart site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC). The first periodic review was conducted in August 2012. This periodic review evaluates the period from September 2012 through July 2017.

Cleanup activities at this Site were completed under the Voluntary Cleanup Program (VCP). The cleanup actions resulted in concentrations of petroleum hydrocarbons remaining at the Site in soil and perched zone groundwater that exceeded MTCA Method A cleanup levels. The MTCA Method A cleanup levels for soil are established under WAC 173-340-740(2). The MTCA cleanup levels for groundwater were established under WAC 173-340-720(3). WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a site every five years under the following conditions:

(a) Whenever the department conducts a cleanup action.
(b) Whenever the department approves a cleanup action under an order, agreed order or consent decree.
(c) Or, as resources permit, whenever the department issues a No Further Action (NFA) opinion.
(d) And one of the following conditions exists:

    1. Institutional controls or financial assurance are required as part of the cleanup.
    2. Where the cleanup level is based on a practical quantitation limit.
    3. Where, in the department's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

(a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site.
(b) New scientific information for individual hazardous substances of mixtures present at the Site.
(c) New applicable state and federal laws for hazardous substances present at the Site.
(d) Current and projected Site use.
(e) Availability and practicability of higher preference technologies.
(f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site History

The Cooper Point Village Mart Site is located at 3210 Cooper Point Road in Olympia, Washington in a rural, residential area. The Site is currently occupied by an active retail gasoline fueling station with two underground storage tanks (USTs), a fuel island, and a convenience store. A Vicinity Map is available as Appendix 6.1 and a Site Plan is available as Appendix 6.2.

Following remedial activities at the Site, a Restrictive Covenant (RC) was recorded for the property on October 27, 1999 and a NFA determination was issued by Ecology on August 16, 1999.

2.2 Site Investigations

A Phase I Environmental Site Assessment (ESA) conducted in June 1999 indicated that the facility was built in the 1940s, and has both a water well and septic system with leach field. A Site reconnaissance performed during the ESA indicated that there is the possibility that two unregistered USTs may have been present on the north end of the property. Two registered operating USTs were confirmed at the south end of the property.

A Phase II ESA was conducted at the Site immediately following the Phase I. AGRA Engineering advanced four soil borings at the Site. Soil conditions encountered at each of the four borings were relatively uniform. Perched groundwater was encountered from 11 to 12 feet below ground surface (bgs). Soil samples were collected from each boring. Groundwater samples were collected from borings B-2 and B-4. A groundwater sample could not be collected from boring B-1 or B-3 because after the boring was purged, water failed to return in sufficient quantity to sample.

Based on the results of the field screening readings, and AGRA's observations, one soil sample from each boring was analyzed for:

- Gasoline-range petroleum hydrocarbons (TPH-G) by Ecology Method NWTPH-G.
- Volatile aromatic hydrocarbons [benzene, toluene, ethylbenzene, and xylenes (BTEX)] by EPA Method 8020.

The analytical results indicate that the sample collected from B-1 contained concentrations of TPH-G above the MTCA Method A cleanup level of 100 milligrams per kilogram (mg/Kg). Soil samples from the other three borings reportedly did not contain detectable concentrations of TPH-G or BTEX except for the sample collected from B-2, which reportedly contained a concentration of 5.9 mg/Kg of TPH-G.

Benzene was detected in groundwater in one boring at a concentration of 9.21 micrograms per liter (µg/L), which exceeds the MTCA Method A level of 5 µg/L. Levels of other BTEX

constituents and TPH-G were found in the groundwater sample collected from boring B-2, but at levels below MTCA Method A cleanup levels. Because this sample was collected from a perched groundwater, and the regional water table is found deeper below a layer of glacial till, this benzene contamination does not likely pose a threat to human health or the environment. This was verified by sampling the existing on-Site deeper well whose results showed that TPH-G and BTEX concentrations were below the laboratory the detection limits. Soils and groundwater sample results are included as Appendix 6.3 and 6.4.

2.3 Remedial Activities

Remedial excavation activities were conducted in June 1999. Two unregistered USTs were confirmed beneath the center canopy support column and pump island. Less than 12 inches of asphalt and soil cover were noted above the USTs. The canopy was shored between the end columns before exposing the tops of the USTs. The USTs measured 4 feet in diameter by 8 feet long, with estimated capacities of 750 gallons each. Nineteen inches of water was measured in the north UST and 15 inches of gasoline in the south UST. Upon removal, the USTs were noticeably corroded, especially the lowermost 6 inches, with holes concentrated under the end welds. No groundwater seepage was evident upon UST removal.

The bases of the USTs were situated approximately 5 feet bgs. Overburden soils removed from the upper 5 feet were field-screened with a photo-ionization detector (PID) for indications of volatile compounds in the soil. No odors were noted in soils removed from the upper 5 feet, and these soils were stockpiled on Site for re-use. Gasoline-impacted soils were encountered at a depth of 5 feet bgs.

Approximately 30 cubic yards of TPH-G impacted soil were excavated and disposed of at the TPS Technologies, Inc. permitted thermal desorption facility in Tacoma, Washington. Additional excavation of TPH-G contaminated soils was restricted by the following physical Site limitations:

- The store foundation.
- The un-shored north and south canopy support columns.
- A natural gas utility main;
- The hardness of glacial till soils underlying the Site, which exceeded the digging capability of the backhoe equipment that fit beneath the canopy roof.

Excavation activities were conducted in a manner that was protective of existing Site structures and foundations. To maintain structural integrity of foundations, the equivalent of a 1:1 slope was conserved around foundation elements. Excavations were extended to a maximum depth of 10 feet bgs. Further excavation to the west was deemed unfeasible due to the presence of a natural gas main.

In general, TPH-G contamination was apparent within a 6- to 8-foot-radius of the north UST. Following removal of accessible soils, TPH-G contamination remained evident in the base, north and west sidewalls at 6 feet bgs. TPH-G impacted soil was apparent in the east sidewall

between depths of 5 and 10 feet, and in the south sidewall. Soil samples were collected from the limits of the excavation. Based on these samples, an estimated volume of 20 cubic yards of TPH-G impacted soil remains at the Site. The maximum concentration detected of TPH-G in soil was 420 mg/Kg. All soil sample results are included as Appendix 6.3.

2.4 Cleanup Levels

MTCA Method A cleanup levels for unrestricted land use were used for the Site. The MTCA Method A cleanup level for gasoline-range petroleum hydrocarbons has not changed since remedial activities were conducted in 1999.

2.5 Environmental Covenant

Following sampling activities, a RC was recorded for the Site in 1999. It was determined that contamination at the Site posed a limited threat to human health and the environment that could be mitigated by the use of institutional controls in the form of a RC. The RC imposes the following limitations:

Section 1: A portion of the Property contains an estimated 20 cubic yards of gasoline contaminated soil under the influence of the canopy foundation. The Owner shall not alter, modify, or remove this foundation in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.

Section 2: Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3: Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4: The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5: The Owner must restrict leases to uses and activities consistent with the RC and notify all lessees of the restrictions on the use of the Property.

Section 6: The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this RC. Ecology may approve any inconsistent use only after public notice and comment. It is hereby agreed that the current use of grocery store, gasoline pumps and a storage area is consistent with the terms of this RC.

Section 7: The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

Section 8: The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this RC shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

The RC is available as Appendix 6.5.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

Based upon the Site visit conducted on June 16, 2017, the building and asphalt cover at the Site continue to eliminate exposure pathways (ingestion, contact) to contaminated soils. The asphalt appears in satisfactory condition and no repair, maintenance, or contingency actions have been required. The Site is currently occupied by a retail petroleum station. A photo log is available as Appendix 6.6.

The RC for the Site was recorded and is in place. This RC prohibits activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This RC serves to assure the long-term property use and integrity of the property surface.

3.1.1 Soil to Vapor Pathway

Evaluation of the soil to vapor pathway is required at sites contaminated with volatile organic compounds (VOCs) to determine the potential for adverse impacts on the indoor air quality that may pose a threat to human health and the environment. Examples of when this pathway should be evaluated include at sites where soil TPH-G and/or other VOC concentrations are significantly higher than the cleanup levels derived for the protection of groundwater for drinking water beneficial use, or where soil TPH-D concentrations are higher than 10,000 mg/Kg; WAC 173-340-740(3)(B)(iii)(C). As a part of this investigation, procedures outlined in the Department of Ecology draft "Guidance for Evaluating Soil Vapor Intrusion in Washington State: Investigation and Remediation Action" should be used.

Though the Site is contaminated with VOCs and a limited quantity of contaminated soils were left on the Site exceeding the cleanup levels (see soil concentrations in Appendix 6.3), no investigations were conducted at this Site to evaluate the soil to vapor pathway and whether potential vapor concentrations are protective of human health or the environment. However, it is Ecology's opinion that the exposure through the soil to vapor pathway does not pose a significant risk based on the following reasons:

- The two USTs were removed from the Site in 1999. Releases that occurred at the Site would have happened approximately 13 years ago. During that time, many of the VOCs present in the gasoline would have likely volatized. The highest TPH-G concentration in soil left in place was 420 mg/Kg and no BTEX were detected in any of the soil samples above the laboratory detection limits.

- All the accessible contaminated soils were excavated and only a limited amount (20 cubic yards) of TPH-G contaminated soils were left on the Site.

- Detection of only TPH-G and non-detection of BTEX is indicative of weathered gasoline, which does not produce many vapors.

- Only the seasonal perched water bearing zone has been impacted by benzene. However, this slight exceedence of benzene (9.21 µg/L) is less than twice the MTCA Method A cleanup level of 5 µg/L. In addition, this groundwater sample was collected from a temporary boring, which potentially might have had high turbidity (particulates) and the dissolved concentration may have been lower.

Based on the above reasons, though there is lack of soil vapor and indoor air data, Ecology believes that it is highly unlikely that there is any adverse impact on the human health and the environment through the soil to vapor pathway.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

Cleanup levels at the Site were based on regulatory standards rather than calculated risk for chemicals and/or media. These standards were sufficient to be protective of Site-specific conditions.

3.3 New applicable state and federal laws for hazardous substances present at the Site

Initial cleanup at the Site was governed by Chapter 173-340 WAC (1996 ed.). Current WAC 173-340-702(12) (c) provides that,

"A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment."

Although cleanup levels changed for several compounds as a result of modifications to MTCA in 2001, contamination remains at the Site above MTCA Method A cleanup levels and the cleanup action is still protective of human health and the environment. A comparison of cleanup levels from pre-2001 and post-2001 are available in the table below:

Table 1: MTCA Method A Cleanup Levels

Analyte	1991 MTCA Soil Cleanup Level (mg/Kg)	2001 MTCA Method A Soil Cleanup Level (mg/Kg)	1991 MTCA Method A Groundwater Cleanup level (µg/L)	2001 MTCA Method A Groundwater Cleanup Level (µg/L)
Benzene	0.5	**0.03**	5	**5**
Ethylbenzene	20	**6**	30	**700**
Toluene	40	**7**	40	**1000**
Total Xylenes	20	**9**	20	**1000**
TPH	NL	**NL**	1000	NL
TPH-Gas	100	**100/30***	NL	1000/**800***
TPH-Diesel	200	**2000**	NL	**500**
NL = None listed				

*level when benzene is present

3.4 Current and projected Site use

The Site continues to be used for commercial purposes. This use is not likely to have a negative impact on the risk posed by hazardous substances contained at the Site.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial actions were capable of detection below MTCA Method A cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

- The cleanup actions completed at the Site appear to be protective of human health and the environment.

- Soils and groundwater (perched zone) cleanup levels have not been met at the Site; however, under WAC 173-340-740(6) (d), the cleanup action is determined to comply with cleanup standards, since the long-term integrity of the containment system is ensured and the requirements for containment technologies in WAC 173-340-360(8) have been met.

- The RC for the property is in place and will be effective in protecting public health from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, Ecology has determined that remedial actions conducted at the Site continue to be protective of human health or the environment. The requirements of the RC are being satisfactorily met and no additional remedial actions are required at this time. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the cap is maintained.

4.1 Next Review

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

AGRA. *Limited Phase II Environmental Site Assessment.* June 16, 1999.

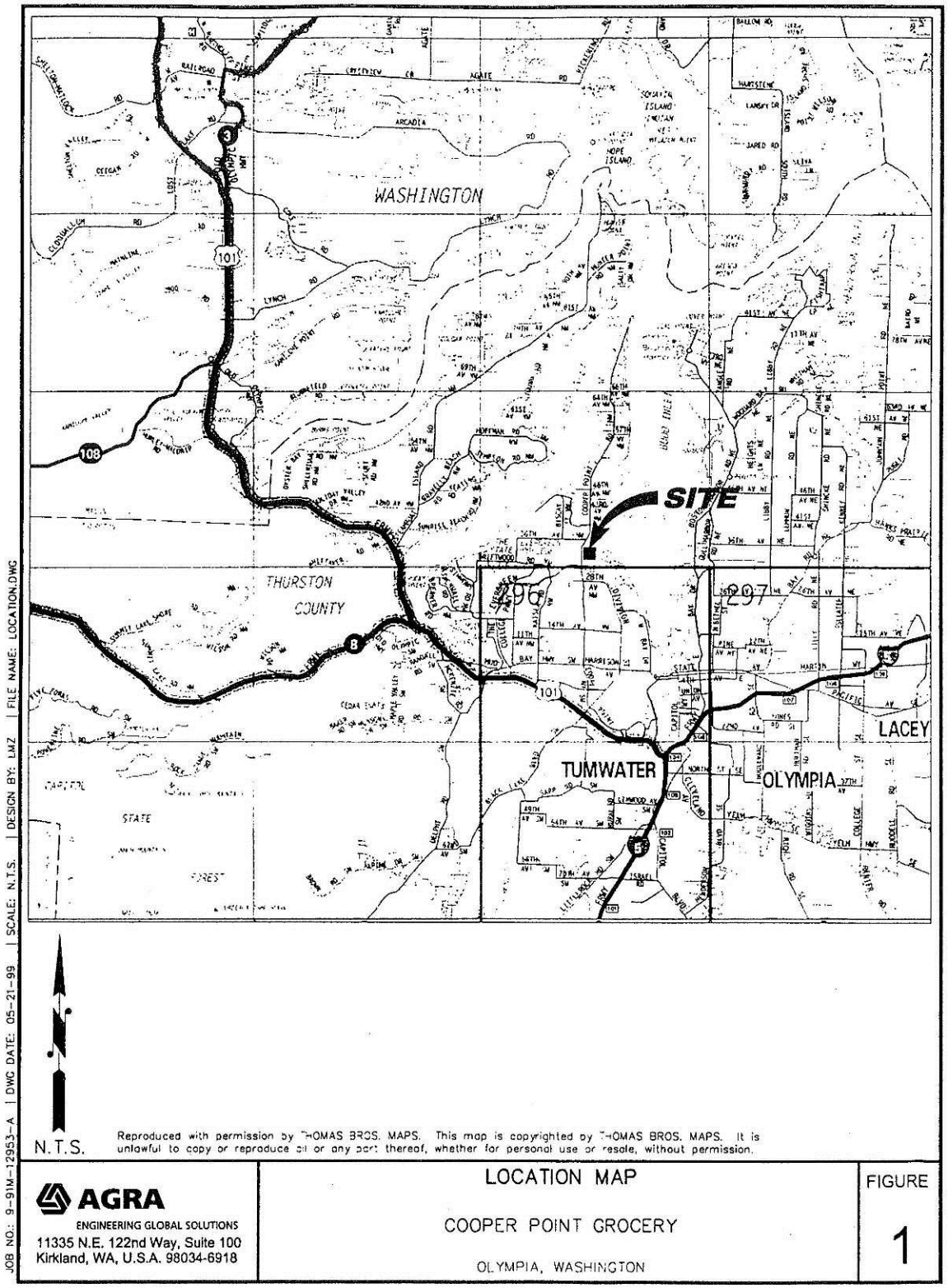
AGRA. *Interim Report on Excavation of Gasoline-Contaminated Soils.* July 23, 1999.

Ecology. *Restrictive Covenant*. September 27, 1999.

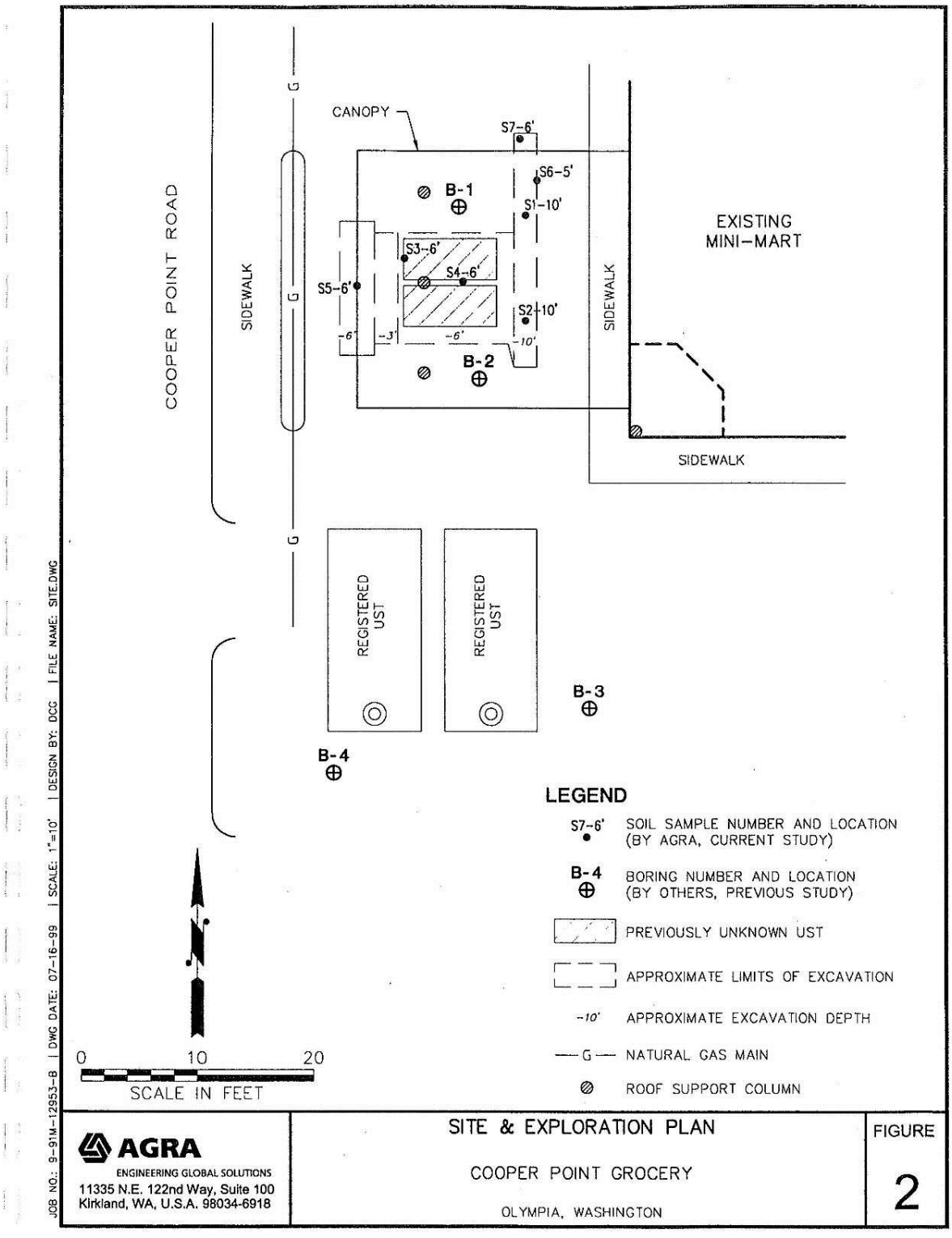
Ecology. *Site Visit. June* 16, 2017.

6.0 APPENDICES

6.1 Vicinity Map



6.2 Site Plan and Sampling Locations



6.3 Soil and Groundwater Sample Results

TABLE 1
ANALYTICAL RESULTS FOR SOILS

Sample Number	Gasoline	Benzene	Toluene	Ethylbenzene	Xylenes
B1 5.5-7	**200**[a]	< 0.1	1.2	2.6	16
B2 11-14	5.9[a]	< 0.05	< 0.05	< 0.05	< 0.15
B3 10-13	< 5.0	< 0.05	< 0.05	< 0.05	< 0.15
B4 10-13	< 5.0	< 0.05	< 0.05	< 0.05	< 0.15
MTCA Method A Levels	100	0.5	40	20	20

Notes:
Results in **bold type** are above MTCA Method A levels.
All results in mg/kg, or ppm.
[a] Results are quantified as gasoline, but the chromatographic pattern does not match that of the standard.

TABLE 2
ANALYTICAL RESULTS FOR GROUNDWATER

Sample Number	Gasoline	Benzene	Toluene	Ethylbenzene	Xylenes
B2	210	**9.21**	1.62	13.7	5.49
MTCA Method A Levels	1,000	5	40	30	20

Notes:
Results in **bold type** are above MTCA Method A levels.
All results in µg/l, or ppb.

TABLE 1
SOIL ANALYTICAL RESULTS

Sample ID	Depth (ft)	PID Reading	Gasoline	Benzene	Toluene	Ethyl-benzene	Total Xylenes
S1-10'	10	40	<5.0	<0.05	<0.05	<0.05	<0.15
S2-10'	10	50	7.2	<0.05	<0.05	<0.05	<0.15
S3-6'	6	280	**360**	<0.25	<0.25	<0.05	<0.15
S4-6'	6	250	**420**	<0.25	<0.25	3.9	**27**
S5-6'	6	150	77	<0.05	<0.05	0.06	0.24
S6-5'	5	180	21	<0.05	<0.05	<0.05	<0.15
S7-6'	6	20	7.3	<0.05	<0.05	<0.05	<0.15
MTCA Method A Cleanup Standard			100.0	0.5	40.0	20.0	20.0

NOTES: All concentrations reported in milligrams pr kilogram (mg/kg).
Shaded text signifies concentrations that exceed MTCA Method A cleanup standard.

6.4 Water Sample Results from the On-Site Well

WATER SAMPLE RESULTS FROM THE ON-SITE WELL

Gasoline Range Petroleum Hydrocarbons & BTEX
EPA Methods 5030/8021B and WDOE/ODEQ Method NWTPH-Gx
µg/L(ppb)

Sample Name:	W080899	Lab Blank	Method Reporting
Lab Code:	0782-1	0782-MB	Limit
Gasoline:	ND	ND	50.0
Benzene:	ND	ND	0.50
Toluene:	ND	ND	0.50
Ethylbenzene:	ND	ND	0.50
Total Xylenes:	ND	ND	1.50
Sample Date:	8/8/99	8/10/99	
Analysis Date:	8/10/99	8/10/99	
Surrogate Recovery:			Control Limits
Gasoline Analysis(FID):	102%	102%	66%-144%
BTEX Analysis(PID):	85%	87%	61%-130%

ND Not Detected

6.5 Restrictive Covenant

AFTER RECORDING MAIL TO:

Name DEPARTMENT OF ECOLOGY/ MR. CHARLES S. CLINE

Address P.O. BOX 47775

City / State OLYMPIA, WA 98504-7775

Document Title(s): (or transactions contained therein)
1. RESTRICTIVE COVENANT
2.
3.
4.

Reference Number(s) of Documents assigned or released:

☐ Additional numbers on page _____ of document

First American Title Insurance Company

806311 14

(this space for title company use only)

Grantor(s): (Last name first, then first name and initials)
1. WIG, MANMOHAN K.
2. WIG, PRISCILLA P,
3. DHINSA, UPINDER S.
4. DHINSA, PRAVEEN S
5. ☐ Additional names on page _____ of document

COURTESY RECORDING ONLY. No liability assumed by First American Title for accuracy or validity of this instrument or for any condition of title.

Grantee(s): (Last name first, then first name and initials)
1. STATE OF WASHINGTON
2. DEPARTMENT OF ECOLOGY
3.
4.
5. ☐ Additional names on page _____ of document

Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter)

ptn parcel B BLA-0049

☐ Complete legal description is on page _____ of document

Assessor's Property Tax Parcel / Account Number(s):

09370034001

WA-1

NOTE: *The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.*

FIRST AMERICAN TITLE COV $14.00

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Thurston Co, WA

RESTRICTIVE COVENANT

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173—340—440 by Manmohan K. Wig, Priscilla P. Wig, Upinder S. Dhinsa and Praveen S. Dhinsa, their successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

An independent remedial action (hereafter "Remedial Action") occurred at the Property that is the subject of this Restrictive Covenant. The Remedial Action conducted at the Property is described in the following documents:

1. Phase I ESA dated 6/1/1999 prepared by Agra Earth & Environmental Inc.
2. Limited Phase II ESA dated 6/16/1999 prepared by Agra Earth & Environmental Inc.
3. Interim Report on Excavation of Gasoline-Contaminated Soils dated 7/23/1999 prepared by Agra Earth & Environmental Inc.

These documents are on file at Ecology's South West Regional Office.

This Restrictive Covenant is required because the Remedial Action resulted in leaving behind an estimated 20 cubic yards of gasoline-contaminated soil beneath the structural influence of the canopy foundations and pump island (as shown on Exhibit B), with gasoline concentrations of 420 milligrams per kilogram (mg/kg) in the soil. This exceeded the Model Toxic Control Act (MTCA) Method A (residential) cleanup standard for gasoline of 100.0 mg/kg established under WAC 173-340-740 (soil).

The undersigned, Manmohan K. Wig, Priscilla P. Wig, Upinder S. Dhinsa and Praveen S. Dhinsa are the fee owners of real property (hereafter "Property") located at 3210 Cooper Point Road, in the County of Thurston, State of Washington, that is subject to this Restrictive Covenant. The Property is legally described in Exhibit A of this Restrictive Covenant and made a part hereof by reference.

Manmohan K. Wig, Priscilla P. Wig, Upinder S. Dhinsa and Praveen S. Dhinsa make the following declarations as to limitations, restrictions, and uses to which the Property may be put and specify that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. A portion of the Property contains an estimated 20 cubic yards of gasoline contaminated soil under the influence of the canopy foundation. The Owner shall not alter, modify, or remove this foundation in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.

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Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment. It is hereby agreed that the current use of grocery store, gasoline pumps and a storage area is consistent with the terms of this Restrictive Covenant.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the property, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

Manmohan K. Wig

Priscilla P. Wig

Upinder S. Dhinsa

Praveen S. Dhinsa

8-13-1999
Date

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Thurston Co, WA
FIRST AMERICAN TITLE COV $14.00

Individual

STATE OF WASHINGTON
COUNTY OF KING) ss.

I, the undersigned, as Notary Public in and for the County and State aforesaid, do hereby certify that Upinder S. Dhinsa personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that (s)he signed the said instrument as a free and voluntary act, for the uses and purposed therein set forth.

GIVEN under my hand and official seal this 13TH day of AUGUST, 1999.

Sharon E. Pepper
Notary Public in and for said State,
residing at FEDERAL WAY, WA.
My Commission expires 5/15/2002.

SHARON E. PEPPER APPOINTMENT EXPIRES NOTARY PUBLIC MAY 15, 2002 STATE OF WASHINGTON

Individual

STATE OF WASHINGTON
COUNTY OF KING) ss.

I, the undersigned, as Notary Public in and for the County and State aforesaid, do hereby certify that Praveen S. Dhinsa personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that (s)he signed the said instrument as a free and voluntary act, for the uses and purposed therein set forth.

GIVEN under my hand and official seal this 13TH day of AUGUST, 1999.

SHARON E. PEPPER APPOINTMENT EXPIRES NOTARY PUBLIC MAY 15, 2002 STATE OF WASHINGTON

Sharon E. Pepper
Notary Public in and for said State,
residing at FEDERAL WAY, WA.
My Commission expires 5/15/2002.

FIRST AMERICAN TITLE COV $14.00
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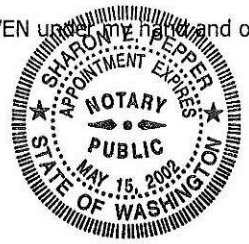
Thurston Co, WA

Individual

STATE OF WASHINGTON
COUNTY OF KING) ss.

I, the undersigned, as Notary Public in and for the County and State aforesaid, do hereby certify that Manmohan K. Wig personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that (s)he signed the said instrument as a free and voluntary act, for the uses and purposed therein set forth.

GIVEN under my hand and official seal this 13TH day of AUGUST, 1999.



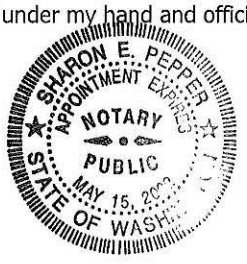
Sharon E. Pepper
Notary Public in and for said State,
residing at FEDERAL WAY WA.
My Commission expires 5/15/2002.

Individual

STATE OF WASHINGTON
COUNTY OF KING) ss.

I, the undersigned, as Notary Public in and for the County and State aforesaid, do hereby certify that Priscilla P. Wig personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that (s)he signed the said instrument as a free and voluntary act, for the uses and purposed therein set forth.

GIVEN under my hand and official seal this 13TH day of AUGUST, 1999.



Sharon E. Pepper
Notary Public in and for said State,
residing at FEDERAL WAY, WA.
My Commission expires 5/15/2002.

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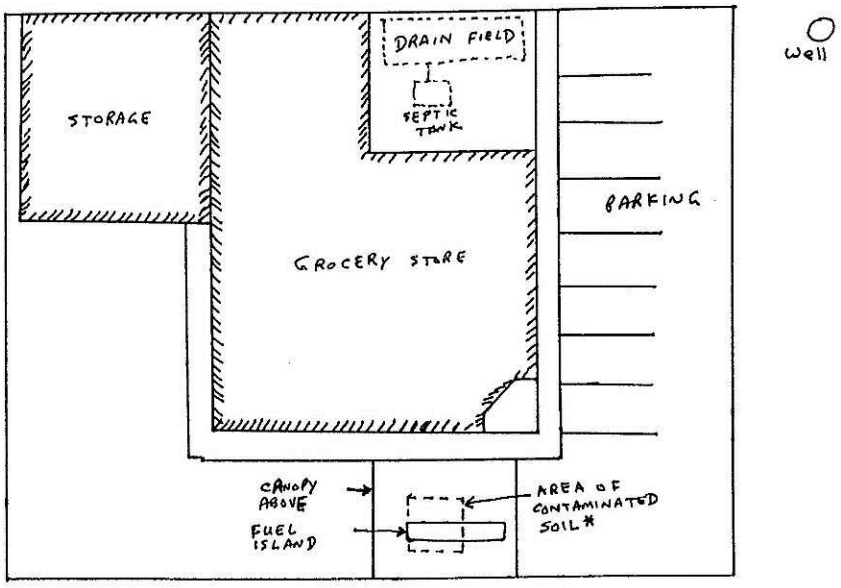
EXHIBIT A

LEGAL DESCRIPTION

That part of French Donation Claim # 66, Township 18 North, Range 2 West, W.M., described as follows: Beginning at a point on the East line of County road known as Butler Cove Road, 90 feet South of the North line of Scammell Addition to West Olympia, as recorded in Volume 3 of Plats, page 100; running thence Southerly along the East line of said road 140 feet; thence Easterly parallel with the North line of said addition, 100 feet, more or less, to a point 100 feet East of the East line of said road; thence Northerly, parallel with the West line of vacated Blocks 5 and 6 of said addition, 140 feet; thence Westerly 100 feet, more or less to the point of beginning.

EXHIBIT B



* AN ESTIMATED AREA MEASURING 12'X12' AND EXTENDING IN DEPTH FROM APPROX. 6 FT. TO 10FT DEEP.

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6.6 Photo log

Photo 1: Cooper Point Village Mart and Cooper Point Road- From the Southwest

Photo 2: Canopy above the Excavation Area and the Pump Island – From the South

Photo 3: Excavation Area between Pump Island and Building – From the South

Photo 4: Excavation Area West of Pump Island – From the South

Photo 5: Registered Underground Storage Tanks Location and the Village Mart - From the Southwest

Photo 6: North Side of Building – From the Northwest