WASHINGTON STATE DEPARTMENT OF ECOLOGY

Southwest Regional Office
Toxics Cleanup Program
PO Box 47775
Olympia, WA 98504-7775
360-407-6240

TRANSMITTAL MEMO

Date: March 20, 2006

TO: Mr. John Van Dijk
The Bank of the Pacific

RE: *Bank of the Pacific Property SW0430*

Subject: Explanation of Timeline

NOTE: **The date on the determination letter reflects the date the decision was made and the billing process began. We do not release determination letters until payment has been received.**

Ecology Determination date: February 23, 2006

Ecology Billing Sent: March 8, 2006

Your Payment Processed: March 20, 2006

Ecology Determination letter mailed/sent: March 20, 2006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

CERTIFIED MAIL

February 23, 2006

Mr. John Van Dijk
The Bank of the Pacific
300 E. Market Street
Aberdeen, WA 98520

Re: No Further Action Determination under WAC 173-340-515(5) for the following Hazardous Waste Site:

- Name: Bank of Pacific Property
- Address: 20 Butler Street, Cathlamet, WA
- Facility/Site No.: 61774897
- VCP No.: SW0430

Dear Mr. Van Dijk:

Thank you for submitting your independent remedial action report for the Bank of Pacific Property (Site) for review by the State of Washington Department of Ecology (Ecology) under the Voluntary Cleanup Program (VCP). Ecology appreciates your initiative in pursuing this administrative option for cleaning up hazardous waste sites under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

This letter constitutes an advisory opinion regarding whether further remedial action is necessary at the Site to meet the substantive requirements of MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC. Ecology is providing this advisory opinion under the specific authority of RCW 70.105D.030(1)(i) and WAC 173-340-515(5).

This opinion does not resolve a person's liability to the state under MTCA or protect a person from contribution claims by third parties for matters addressed by the opinion. The state does not have the authority to settle with any person potentially liable under MTCA except in accordance with RCW 70.105D.040(4). The opinion is advisory only and not binding on Ecology.

Ecology's Toxics Cleanup Program has reviewed the following information regarding the Site:

1. Restrictive Covenant, The Bank of the Pacific, 58 Main Street, Cathlamet, WA, dated November 28, 2005.

2. Legal Agreement between the Bank of the Pacific and the Town of Cathlamet, RE: impacted soil beneath Butler Street, dated March 21, 2005.

3. Butler Street Property, Groundwater Monitoring Report, dated February 1, 2005 by Aspect Consulting.

4. Soil Remediation Report, Bank of the Pacific Butler Street Property, Cathlamet, Washington, dated April 21, 2004 by Aspect Consulting.

5. Results of the May 2002 Soil Sampling, Bank of the Pacific Butler Street Property and Adjoining Hobson Property, dated July 9, 2002 by Aspect Consulting.

6. Environmental Phase II Subsurface Investigation, Bank of the Pacific Property, 20 Butler Street, Cathlamet, Washington, dated December 1, 2000 by Robert D. Miller Consulting, Inc.

7. Subsurface Investigation Report for 20 Butler Street, Cathlamet, Washington, dated December 16, 1999 by Pacific Northern Environmental Corporation.

8. Phase I Environmental Site Assessment Report, 20 Butler Street, Cathlamet, Washington, dated April 16, 1999 by Pacific Northern Environmental Corporation.

The documents listed above will be kept in the Central Files of the Southwest Regional Office of Ecology (SWRO) for review by appointment only. Appointments can be made by calling the SWRO resource contact at (360) 407-6365.

The Site is defined by the extent of contamination caused by the following release(s):

- Documented release of gasoline-, diesel-, and oil-range petroleum hydrocarbons, benzene, ethylbenzene, xylenes, and carcinogenic polynuclear aromatic hydrocarbons (cPAHs) in soil.

- Documented release of gasoline-, diesel-, and oil-range petroleum hydrocarbons, and benzene in groundwater.

The Site is more particularly described in Enclosure A to this letter, which includes a detailed Site diagram. The description of the Site is based solely on the information contained in the documents listed above.

Based on a review of the independent remedial action report and supporting documentation listed above, **Ecology has determined that the independent remedial action(s) conducted at the Site (20 Butler Street and 60 Butler Street) are sufficient to meet the substantive requirements contained in MTCA and its implementing regulations, Chapter 70.105D RCW and Chapter 173-340 WAC, for characterizing and addressing the contamination at the Site.** Therefore, pursuant to WAC 173-340-515(5), Ecology is issuing this opinion that **no further remedial action is necessary** at the Site under MTCA.

This opinion is based on the continued effectiveness of the institutional control(s) required as part of the cleanup action for the Site under WAC 173-340-440. A copy of the Restrictive Covenant(s) and legal agreement filed for any property (58 Main Street and Butler Street) as part of the cleanup action for the Site are enclosed with this letter as Enclosure B. If any portion of any Restrictive Covenant or legal agreement is violated, then this opinion will automatically be rendered null and void and further remedial action may be required at the Site.

Based on this no further action determination, Ecology will update the status of the Site on its site database and remove the Site from the Confirmed and Suspected Contaminated Sites List and the Leaking Underground Storage Tank (LUST) List.

This no further action determination does not apply to any other release(s) or potential release(s) of contaminant(s) that may impact any other portion of any property impacted by this Site, or any other property owned or operated by the Bank of the Pacific.

Please note that this opinion is based solely on the information contained in the documents listed above. Therefore, if any of the information contained in those documents is materially false or misleading, then this opinion will automatically be rendered null and void and further remedial action may be required at the Site.

The state, Ecology, and its officers and employees make no guarantees or assurances by providing this opinion, and no cause of action against the state, Ecology, its officers or employees may arise from any act or omission in providing this opinion.

Again, Ecology appreciates your initiative in successfully completing cleanup under the Voluntary Cleanup Program (VCP). If you have any questions regarding this opinion, please contact me at (360) 407-6347.

Sincerely,

Scott Rose
SWRO Toxics Cleanup Program

SR/ksc:Bank of Pacific NFA

Enclosures: A (Site Summary and Diagram)
B (Restrictive Covenant and Legal Agreement)

Cc: Chuck Cline, Department of Ecology
Bob Warren, Department of Ecology
Trish Akana, Department of Ecology (SW0430)

Enclosure A

Site Description

The Bank of Pacific Property is located at 20 Butler Street in Cathlamet, Wahkiakum County, Washington (WA). The site is bounded by residential property to the west, Main Street and commercial property to the east, Butler Street and residences to the south, and the Bank of the Pacific (Bank) to the north. The site topography slopes east to west. Bernie Creek is at the bottom of the slope. Historically, the site was developed in the early 1900s, and was developed as a service station in the 1920s. The service station facility reportedly included four underground storage tanks (USTs), a site building, and a canopied pump island. Although the exact configuration of the service station is unknown, the USTs were located along the southern boundary of the property at the corner of Butler and Main Streets. Reportedly, the service station was also used for vehicle maintenance and repair, and was operated until the mid-1970s. The station building was apparently demolished in the mid-1980s, at which time a new wood-framed building was constructed that occupied most of the footprint of the property. The new building was utilized for storage and an automobile paint shop.

The Bank purchased the Butler Street property and an adjacent parcel to the east in 1997. The adjacent parcel (58 Main Street) was converted to a parking lot for the Bank (located at 56 Main Street), and the building on site was leased. Prior to demolition of the building to facilitate remediation in summer 2003, the southern portion of the building was leased as office space to a church group, and the remainder of the building was leased for storage.

Historical evidence of releases from the fuel distribution system at the former service station date back to the mid-1970s, when the City received complaints of hydrocarbon odors in the basement of a residence north of the site. The Cathlamet Public Works Department (CPWD) investigated the complaint and reported that free product was discovered in hand auger borings installed by CPWD along the northeast site boundary. CPWD also reported that the lawn had died in the yard of the "Hobson Cottage", located at 60 Butler Street, adjacent to the north of the site.

Surficial geology beneath the site consists of brown sandy silt and clay from the ground surface to approximately 2 to 4 feet below ground surface. Bedrock beneath the site consists of the Wanapum Basalt-French Springs member of the Columbia River Basalts. Bedrock was encountered in borings on site at 2 to 8 feet bgs. Groundwater was encountered beneath the site in fractured basalt at depths of 8 to 12 feet bgs, with general groundwater flow inferred to be to the north toward Birnie Creek.

Soil and Groundwater Contamination

The Bank contracted Pacific Northern Environmental Corporation (PNEC) in 1999 to complete a Phase I Environmental Site Assessment (Phase I) of the site. PNEC identified the potential for site contamination as "high", and subsequently completed three soil borings on site and on the adjacent "Hobson Cottage" property to the north. Gasoline-range petroleum hydrocarbons were detected in

soil samples collected from beneath the northern portion of the building slab at concentrations ranging from 2,340 milligrams per kilogram (mg/kg) to 7,790 mg/kg. Oil-range petroleum hydrocarbons were also detected at concentrations as high as 38,900 mg/kg. PNEC also confirmed the presence of the four USTs on site.

Additional on- and off-site soil investigations were conducted by PNEC in September 1999 and August 2000, and by Aspect Consulting in May 2002. The results of these sampling efforts confirmed the presence of impacted soil above basalt bedrock beneath the foundation of the Bank's building, on the southwest portion of the "Hobson Cottage" property, and beneath portions of Butler Street. Throughout these investigations, soil samples were analyzed for selected analyses, including hydrocarbon identification (HCID), volatile and extractable petroleum hydrocarbons (VPH/EPH), gasoline-range petroleum hydrocarbons by Ecology Method NWTPH-Gx, diesel- and oil-range petroleum hydrocarbons by Ecology Method NWTPH-Dx, benzene, toluene, ethylbenzene, and xylene (BTEX) compounds by EPA Method 8021B or 8260, volatile organic compounds (VOCs) by EPA Method 8260, naphthalene by EPA Method 8260, semivolatile organic compounds (SVOCs) by EPA Method 8270, polychlorinated biphenyls (PCBs) by EPA Method 8080, toxicity characteristic leaching procedure (TCLP) metals by EPA Method 1311 and 7000 series, and lead by EPA Method 6010. Contaminants detected in soil at concentrations exceeding Model Toxics Control Act (MTCA) Method A cleanup levels included gasoline-range petroleum hydrocarbons (72 mg/kg to 9,850 mg/kg), diesel-range petroleum hydrocarbons (2,620 mg/kg), oil-range petroleum hydrocarbons (3,440 mg/kg to 38,900 mg/kg), benzene (0.1 mg/kg to 5.3 mg/kg), ethylbenzene (29.2 mg/kg) to 230 mg/kg), xylenes (38.7 mg/kg to 730 mg/kg), and naphthalene (17 mg/kg).

During UST backfilling activities in 1999, water was observed in the bottom of the excavation. PNEC installed a 4-inch, slotted pipe in the deepest part of the excavation. A water sample was collected from the pipe and analyzed for HCID and gasoline-range petroleum hydrocarbons by Ecology Method NWTPH-Gx. The HCID detected hydrocarbons in the gasoline range, and the subsequent NWTPH-Gx analysis indicated the presence of gasoline-range petroleum hydrocarbons at 3,630 microgram per liter (µg/L).

In August 2000, PNEC installed three monitoring wells (MW-1 through MW-3), with a fourth monitoring well (MW-4) installed in early 2002 by Aspect Consulting, at on- and off-site locations. Groundwater samples collected from the monitoring wells between August 2000 and December 2004 were analyzed for selected analyses, including HCID, gasoline-range petroleum hydrocarbons by Ecology Method NWTPH-Gx, diesel- and oil-range petroleum hydrocarbons by Ecology Method NWTPH-Dx, BTEX compounds by EPA Method 8021B or 8260B, polycyclic aromatic hydrocarbons (PAHs) by EPA Method 8270 SIM, and total lead by EPA 6000/7000 Series Methods. Contaminants detected in groundwater at concentrations exceeding MTCA Method A cleanup levels included gasoline-range petroleum hydrocarbons (1,300 µg/L to 3,630 µg/L), diesel-range petroleum hydrocarbons (740 µg/L to 1,300 µg/L), oil-range petroleum hydrocarbons (650 µg/L to 670 µg/L), and benzene (150 µg/L to 560 µg/L).

Cleanup Activities

In June 1999, PNEC abandoned the USTs in place by cleaning and filling the USTs with cement slurry. During UST abandonment, PNEC excavated 13 tons of petroleum-contaminated soil that was subsequently treated off site by thermal desorption at TPS Technologies in Portland, Oregon.

In 2003, based on the presence of petroleum hydrocarbons and benzene above MTCA Method A cleanup levels in groundwater downgradient of the site, it was evident that the petroleum-impacted soil beneath the building foundation at the site constituted a continued source of impacts to groundwater. The fine-grained nature of on-site soils and the location of impacted soil beneath the building foundation slab precluded practical application of in-situ soil remediation methods. The Bank therefore opted to demolish the building and excavate the impacted soil as the most practical and effective means of remediating the impacted soils and affecting subsequent reduction in dissolved concentrations in groundwater beneath the site and on the downgradient "Hobson Cottage" property.

In July 2003, Burns Construction of Cathlamet, WA demolished the building, but left the slab in place to prevent possible exposure to impacted soils prior to initiation of the soil remediation. In August 2003, Clearcreek Contractors of Woodinville, WA completed demolition of the building slab. Waste concrete was transported to the Burns quarry in Cathlamet for disposal. The closed-in-place USTs were excavated and cut open. The fill materials placed in the USTs during closure was removed and stockpiled for subsequent disposal with the impacted soils. The empty USTs were then transported to Metro Metals Northwest in Kelso for recycling. A total of 1,187 tons of soil was excavated and disposed of at the Rabanco Landfill in Roosevelt, WA.

Confirmatory soil sampling was conducted in 10-foot intervals along the excavation sidewalls. All sidewall samples were collected from the interval of native sandy silt above the bedrock surface. Floor samples were not collected, per Ecology approval, due to the competent nature of the basalt bedrock in the base of the excavation. A total of 28 sidewall confirmation samples were collected. Each sample was analyzed for gasoline-range petroleum hydrocarbons by Ecology Method NWTPH-Gx, diesel- and oil-range petroleum hydrocarbons by Ecology Method NWTPH-Dx, and BTEX compounds by EPA Method 8021B. Selected samples were also analyzed for lead by EPA Method 6010 and for naphthalene and PAHs by EPA Method 8270 SIM.

Analytical results of the confirmation samples did not indicate the presence of contaminants above MTCA Method A cleanup levels, except in the following samples: gasoline-range petroleum hydrocarbons in CS-22 (650 mg/kg) and CS-24 (290 mg/kg), benzene in CS-22 (3.3 mg/kg) and CS-24 (3.0 mg/kg), ethylbenzene in CS-22 (18.0 mg/kg) and CS-24 (15.0 mg/kg), xylenes in CS-22 (11.3 mg/kg) and CS-24 (19.2 mg/kg), and total carcinogenic PAHs (cPAHs) in CS-16 (3.33 mg/kg). MTCA Method A cleanup levels for these contaminants are as follows: gasoline-range petroleum hydrocarbons (30 mg/kg), benzene (0.03 mg/kg), ethylbenzene (6 mg/kg), xylenes (9 mg/kg), and total cPAHs (0.1 mg/kg).

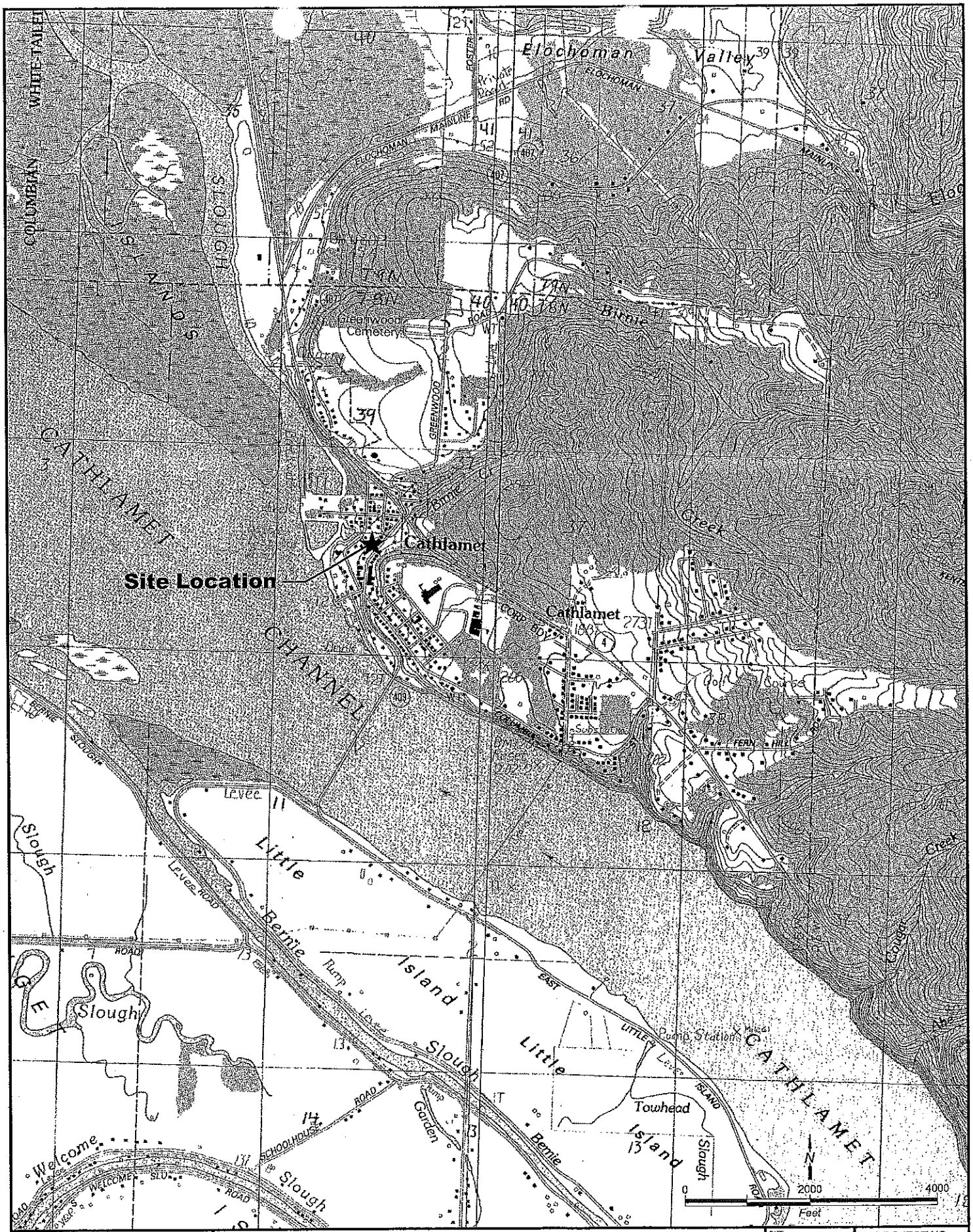
According to Aspect Consulting, the results of the confirmation samples indicate that all accessible impacted soil has been removed from the site. Petroleum-impacted soil, as indicated by samples CS-22 and CS-24, remains beneath the parking lot to the east of the former building. Based on confirmation sample results and historic soil sample data from surrounding borings, Aspect

Consulting estimated that the volume of impacted soil in this area is likely less than 30 cubic yards.

An additional area of impacted soil, as indicated by sample CS-16, is present beneath Butler Street to the west of the "Hobson Cottage" property. The northwestward extent and approximate volume of impacted soil beneath Butler Street is unknown.

Groundwater samples were collected from monitoring wells MW-1 through MW-4 in November 2002, and quarterly in 2004 in January, April, August, and December. A sample was also collected from MW-4 in February 2003. Groundwater samples were collected using low flow techniques with a peristaltic pump. The groundwater samples were submitted for laboratory analysis for gasoline-range petroleum hydrocarbons by Ecology Method NWTPH-Gx, diesel- and oil-range petroleum hydrocarbons by Ecology Method NWTPH-Dx, BTEX compounds by EPA Method 8021B. The samples collected in January 2004 were also analyzed for total lead by EPA 6000/7000 Series Methods and PAHs by EPA Method 8270 SIM.

Analytical results of samples collected in 2002 and 2003 indicated the presence of contaminants in excess of MTCA Method A cleanup levels. However, no contaminants were detected above MTCA Method A cleanup levels during the four rounds of quarterly sampling conducted in 2004, following soil remediation activities.



Aspect consulting
IN-DEPTH PERSPECTIVE

179 Madrone Lane North
Bainbridge Island, WA 98110
(206) 780-9370

811 First Avenue #480
Seattle, WA 98104
(206)-328-7443

Site Location Map

Bank of the Pacific Property
20 Butler Street, Cathlamet, Washington

DATE: Jan 2005	PROJECT NO. 010120
DESIGNED BY: WVG/RRH	
DRAWN BY: PMB	FIGURE NO. 1
REVISED BY:	

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Enclosure B

Restrictive Covenant for 58 Main Street Property

And

Legal Agreement between the Bank of the Pacific and the Town of Cathlamet regarding impacted soil beneath Butler Street.

Recording Requested
By and Return to:

John Van Dijk, President
Bank of the Pacific
P.O. Box 1826
Aberdeen, WA 98520

RESTRICTIVE COVENANT

The Bank of the Pacific, 58 Main Street, Cathlamet, WA 98612-0337

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by The Bank of the Pacific (hereafter "Owner"), its 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 Owner's 20 Butler Street property. The 20 Butler Street property is located west of, and immediately adjacent to, the Owner's 58 Main Street property (hereafter "Property") that is the subject of this Restrictive Covenant. The Remedial Action conducted at the 20 Butler Street property is described in the following documents: 1) Soil Remediation Report, Bank of the Pacific Butler Street Property, Cathlamet, Washington, Aspect Consulting LLC, April 21, 2004, 2) Post – Remediation Groundwater Monitoring Report, Bank of the Pacific Butler Street Property, Cathlamet, Washington, Aspect Consulting LLC, February 1, 2004. These documents are on file at Ecology's Southwest Regional Office (SWRO.)

This Restrictive Covenant is required because the Remedial Action resulted in residual concentrations of petroleum hydrocarbon constituents on the Property, including total petroleum hydrocarbons (TPHs), benzene, ethylbenzene and xylenes, which exceed the applicable Model Toxics Control Act (MTCA) Method A Unrestricted Land Use Cleanup Levels for soil

established under WAC 173-340-900. The approximate area of soil on the Property with residual concentrations of hydrocarbon constituents exceeding the Method A Unrestricted Land Use Cleanup Levels for soil is shown on Attachment A to this Restrictive Covenant, and made a part hereof by reference. Specifically, this area of residual petroleum hydrocarbon constituents in soil, depicted in Attachment A, is approximately 10 feet by 35 feet in area and is located from approximately 6 to 10 feet depth beneath the western portion of the main Property parking lot along the retaining wall that forms the western boundary of the Property. Contaminated soil in this area could not be removed without jeopardizing the structural integrity of the retaining wall and adjacent parking lot. Maximum detected residual petroleum hydrocarbon constituents exceeding the Method A Unrestricted Land Use Cleanup Levels for soil in this area were as follows:

- Benzene - 3.3 milligrams per kilogram (mg/kg),
- Ethylbenzene – 18 mg/kg,
- Xylenes – 19.2 mg/kg, and
- TPHs as gasoline – 650 mg/kg

The Owner is the fee owner of the Property located in the County of Wahkiakum, State of Washington that is subject to this Restrictive Covenant. The Property designation is the following described real estate, to wit:

Parcel No. One:

That portion of the Northeasterly 50 feet of Lot Two (2), in Block "G" TOWN OF CATHLAMET, as per plat thereof recorded in Book "A" of Plats, page 1, records of Wahkiakum

County, Washington, lying Southeasterly of the Southeasterly line of that certain tract heretofore conveyed to George Witham, et. ux .., by deed recorded in Book 4 of Deeds, page 285, lying Northeasterly of that certain tract heretofore conveyed to Howard V. Carriker, et. ux .., by deed recorded in Book 22 of Deeds, page 327, lying Northwesterly of the Northwesterly line of Main Street, of said TOWN OF CATHALAMET, as the same presently exists, TOGETHERWITH that certain driveway easement executed by Irving Koths, et. ux .., recorded under Auditor's File No. 25493, in Volume 28 of Deeds & Mortgages, page 45, records of Wahkiakum County, Washington.

Parcel No. Two:

That portion of Lot Two (2), in Block "G", TOWN OF CATHLAMET, as per plat thereof recorded in Book "A" of plats, page 1, records of Wahkiakum County, Washington, EXCEPTING THEREFROM the Northeasterly 50 feet of said lot measured perpendicular to the Northeasterly line thereof; EXCEPT the Northwesterly 50 feet of said lot measured perpendicular to the Northwesterly line of said lot; and ALSO EXCEPTING THEREFROM that certain triangular tract described as follows, to-wit:

Beginning at the most Southerly corner of said lot; thence Northeasterly along the Southeasterly line thereof, 28 feet, more or less, to the intersection of Main Street with the Southwesterly line of said lot extended Southeasterly; thence Northwesterly along said line extended 62.5 feet, more or less, to a point on Alley Street; thence Southeasterly, along the Southwesterly line of said lot, 75 feet, more or less, to the point of beginning.

All situate in the County of Wahkiakum, State of Wasington.

The Owner makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies 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.

Section 1. The Owner shall not alter, modify, or remove the parking lot or retaining wall in the area of residual petroleum hydrocarbon constituents shown in Attachment A in any manner that may result in the release or exposure to the environment of contaminated soil or create a new exposure pathway without prior written approval from Ecology. Additionally, any other activity on the Property that may result in the release or exposure to the environment of the contaminated soil beneath the area of the parking lot shown on Attachment A, or create a new exposure pathway, is prohibited without prior written approval from Ecology. Some examples of activities that are prohibited without prior written approval from Ecology include: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.

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. 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 4. 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 5. 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.

Section 6. 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 7. 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.

Attachment A – Approximate Extent of Residual Contaminated Soil on Property

Attachment B – Plat Map of 56 Main Street, Town of Cathlamet

PRESIDENT

The Bank of the Pacific

11-28-05

[DATE SIGNED]

[NOTE: The Property Owner must have this Restrictive Covenant notarized.

STATE OF WASHINGTON
COUNTY OF GRAYS HARBOR

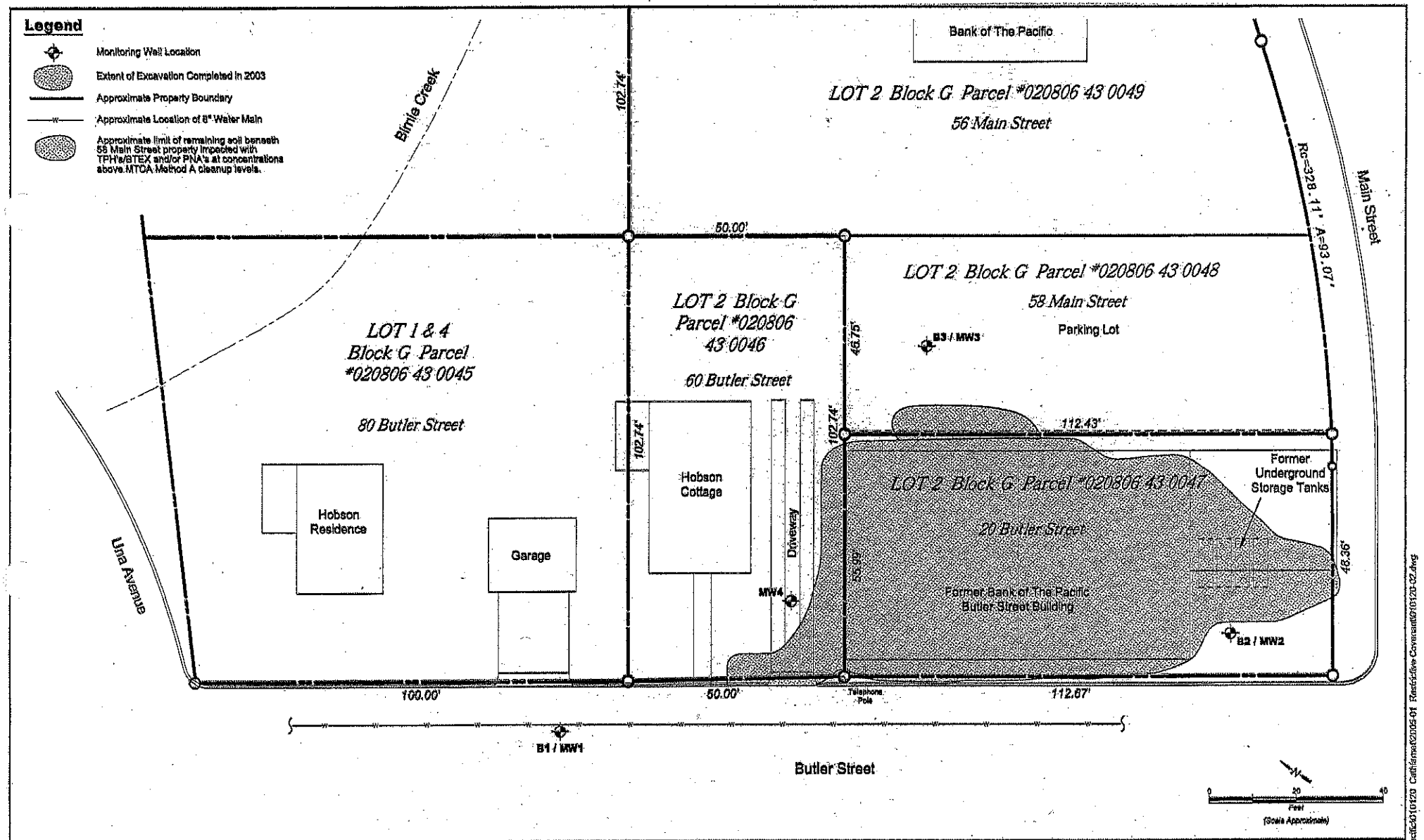
On this 28 day of November 2005 personally came before me, a notary public in Grays Harbor County, Washington, who being by me duly sworn, personally appeared John VanDijk, known to me to be the President of the Bank of the Pacific known to me to be the individual described in and who executed the within instrument and acknowledged that he signed and sealed the same as his free and voluntary act and deed, for the uses and purposes herein mentioned.

Lynn V Linderman
Notary Public

LYNN V. LINDERMAN
NOTARY PUBLIC
STATE OF WASHINGTON
My Commission Expires April 9, 2006

Printed Name Lynn Linderman

My appointment expires: 4-9-06



Reference:
Base map provided by Robert D. Miller Consulting, Inc.
Lot lines and descriptions provided by the Wahkiakum County Assessor's Office, Cathlamet, Washington.
All locations and site features are approximate.

Aspect consulting
IN-DEPTH PERSPECTIVE
179 Wallace Lake Road, Langley, WA 98260 (360) 221-8015
811 First Avenue, Suite 630, Seattle, WA 98104 (206) 447-1523

Approximate Extent of Residual Contaminated Soil on Property
Bank of the Pacific Property
58 Main Street, Cathlamet, Washington

DATE Jan 2006	PROJECT NO. 010120
DESIGNED WVG/RRH	FIGURE NO.
DRAWN PHB	
REVISED	

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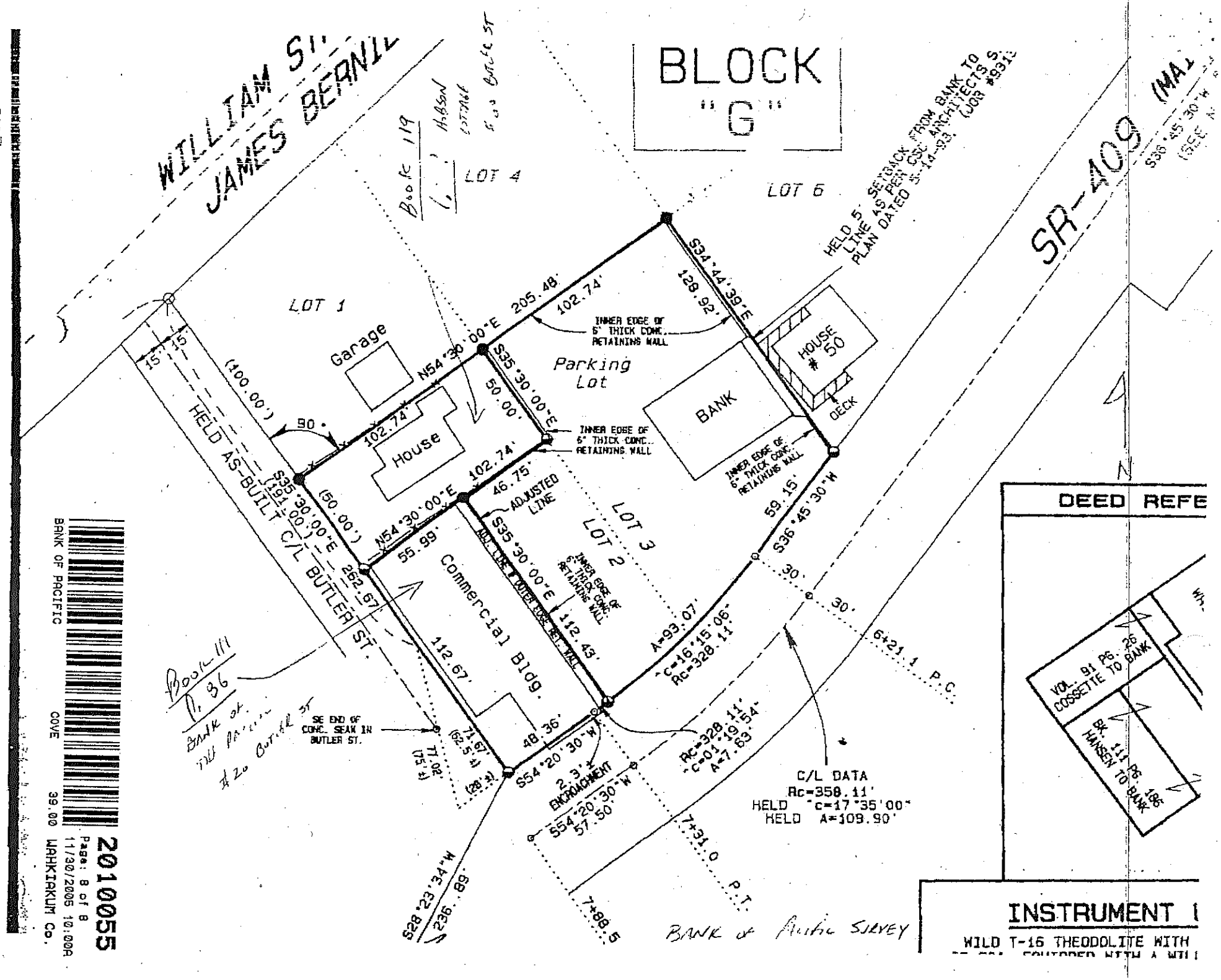

AGREEMENT

THIS AGREEMENT is made this 21 day of March, 2005, by and between the Bank of the Pacific ("Bank") and the Town of Cathlamet ("Town").

RECITALS

A. The Bank owns a parcel of property at 20 Butler Street in the Town of Cathlamet;

B. This parcel was historically used as a service station and had underground petroleum storage tanks, which leaked and contaminated surrounding soils;

C. The Bank remediated the contamination with the approval of the Department of Ecology;

D. The Bank is now applying for final approval of the remediation process from the Department of Ecology and for a declaration of "No Further Action" status.

NOW, THEREFORE, the parties agree as follows:

1. If the Department of Ecology, or other governmental agency with jurisdiction, requires the Bank to remediate the soil beneath Butler Street, (in proximity to the Bank's parcel of property), as a result of the petroleum contamination originating upon the Bank's parcel, the Bank agrees to be responsible for performing and completing all necessary remediation.

2. The duty of the Bank to perform and complete remediation shall not be relieved by any act of the Town that may prompt a governmental order for remediation. For example, if the Town deems it necessary to expose the subsurface of Butler Street for municipal purposes, the Bank shall be responsible for any remediation of contamination ordered by a governmental agency as a result of the Town's action.

3. If such mandated future remediation is in close proximity to the water main beneath Butler Street, the Town agrees to provide reasonable assistance in locating the water lines during the remediation process.

4. If the water main is damaged during the remediation process by the Bank, or any contractor or agent of the Bank, the responsibility for repairing the damaged section of the water main shall rest with the Bank.

5. This agreement constitutes the entire agreement between the parties regarding soil remediation and related issues in the area of the Bank's parcel of property at 20 Butler Street.

THE BANK OF THE PACIFIC

By: _____
JOHN VAN DIJK, CFO

TOWN OF CATHLAMET

By: _____, Mayor