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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

Department of Ecology
Eastern Washington Office

ACCESS AGREEMENT
Between the
Washington State Department of Ecology
and
Randall J. Gillingham

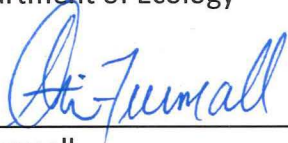
The Washington State Department of Ecology (Ecology) and Randall Gillingham (collectively, "the Parties") agree to the following terms and conditions of this Access Agreement.

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(I)(a) & (b); WAC 173-340-800.
3. Randall J. Gillingham ("Property Owner") is the owner of real property located at 10710 S. Cheney Spokane Rd., Spokane, WA ("Property"). The legal description of this property is Parcel number 24214.9044 (21 24 42 S1/2 OF N1/2 OF SE1/4 LYG NWLY OF RR R/W EXC CO RD.); and Parcel number 24213.9076 (PARCEL 'F' (AFN#4617203) BEING PTN OF NE1/4 OF SW1/4).
4. The Marshall Landfill is a known hazardous waste site, generally located at Spotted Road and Andrus Road, Spokane, Washington. Marshall Landfill, Inc. 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 Marshall Landfill. It is not anticipated that intrusive work will be performed on the Property. Ecology will provide reasonable advance notice of entry by calling Property Owner at telephone number (509) 216-6155 or by 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 Marshall Landfill 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.

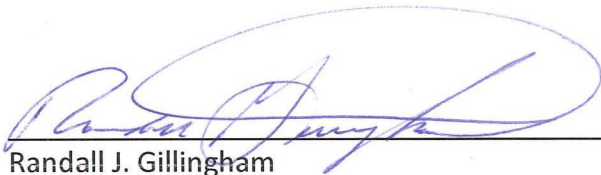
Department of Ecology



Date: 5 / 7 / 2020

Ali Furmall

Department of Ecology
Acting Section Manager
Eastern Region Toxics Cleanup Program



Date: 4-25-20

Randall J. Gillingham
Property Owner