

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET SW  
ATLANTA, GEORGIA 30303-8960

**ACCESS AUTHORIZATION**

**THIS ACCESS AUTHORIZATION** (“Access Authorization”) is made as of this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2015, and is by The City of Foley, the owner of the property (Property) known as the Historic Foley Bakery, located at 118 West Laurel Avenue, Foley, Baldwin County, Alabama 36535

**WITNESSETH:**

The City of Foley \_\_\_\_\_ consents as follows:  
(The property owner)

1. The Property owner grants authorization to the U.S. Environmental Protection Agency (“EPA”), its officers, employees, contractors and other authorized representatives, for full and unconditioned access at all reasonable times to enter the Property. This access will allow these parties to conduct the assessment work listed below.
2. This access may include, but is not limited to, the following activities:
  - a. the taking of such soil, water, and air samples as may be determined to be necessary;
  - b. the sampling of any solids or liquids stored or disposed of on the Property;
  - c. the sampling of all drums and tanks on the Property to characterize the wastes;
  - d. the drilling of holes and installation of monitoring wells for subsurface investigation;
  - e. other actions related to the investigation of surface or subsurface contamination;
  - f. transporting and disposing of all wastes to a facility approved by the EPA;
  - g. performing confirmation soil sampling and treating or disposing of soil;
  - h. transporting vehicles, equipment, and materials onto and about the Property as necessary to accomplish the above noted assessment activities;
  - i. storing vehicles, equipment, and materials on and throughout the Property as necessary to accomplish the above noted activities; and

- j. inspecting, sketching, photographing, and/or videotaping the assessment activities occurring on the Property.
3. The Property owner understands that EPA and the other parties identified herein that will be conducting the assessment work on the Property will prevent the unauthorized access by other persons to the Property during the performance of the assessment work that is the subject of this Access Authorization.
  4. The Property owner understands that all assessment work on the Property will fully comply with all applicable federal, state, and local laws, rules and regulations, and that the property owner is not responsible for obtaining or paying for any applicable permits related to the activities to be conducted on the Property.
  5. The Property owner understands that EPA and its authorized representatives will leave the Property in substantially the same condition in which it existed prior to the commencement of EPA's assessment work activities referenced herein.
  6. The contact person for the undersigned and the EPA as to all notices and requests required pursuant to this Access Authorization shall be:

Owner/Operator:

The City of Foley  
 (The Property owner)  
407 E Laurel Ave  
 (address of property owner)  
Foley, AL 36535  
 (city, state, zip of property owner)  
251-943-1945  
 (phone number of property owner)

EPA:

Bob Rosen  
 Brownfields Project Manager  
 U.S. Environmental Protection Agency,  
 Region 4 – RCRA Division  
 61 Forsyth Street SW  
 Atlanta Georgia 30303  
 Work 404-562-8761  
 Fax 404-562-8689  
 rosen.bob@epa.gov

7. The Property owner does not admit any responsibility or liability for the presence of any soil, sediment, or ground or surface water contamination or impacts existing on the Property or for any release of such materials during the performance of the assessment work under this Access Authorization. Nothing in this Access Authorization shall be construed as an admission by the property owner of any responsibility or liability concerning any such contamination or impacts to the Property. The property owner reserves any and all rights, claims, and defenses that it may have with respect to the assessment work conducted on the Property.
8. The authorization for access and use granted herein will commence on August 24, 2015, and will continue until March 31, 2016. Access to the Property beyond the March 2016 date will be through a separate Access Authorization.

9. The Property owner understands that this Access Authorization does not restrict or prohibit his right to use, sell, or lease the Property.
10. The Property owner understands that the assessment work activities conducted by EPA are undertaken pursuant to EPA's response authorities under the Comprehensive Environmental Response, Compensation and Liability Act (Superfund), 42 U.S.C. Section 9601 et seq.
11. EPA will provide the Property owner with copies of all reports and analytical results.

IN WITNESS WHEREOF, The City of Foley has executed this Access  
(property owner name)

Authorization as of the date set forth below:

Name: \_\_\_\_\_  
(property owner signature)

Date: \_\_\_\_\_