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2008-002370-0

Recording Dist: 309 - Homer

6/9/2008 11:39 AM Pages: 1 of 4



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JUL 29 2008

**NOTICE OF ENVIRONMENTAL CLEANUP AND RESIDUAL SOIL AND
GROUNDWATER CONTAMINATION**

ADEC
Kenai Area Office

Pursuant to 18 AAC 78.625, the State of Alaska Department of Environmental Conservation, hereby provides public notice that the property located at: 345 Sterling Highway, Homer Alaska, 99603, and more particularly described as follows:

**Lot 1, Bowers Subdivision, Kachemak View Addition within
Section 19, Township 6 South, Range 13 West, Seward Meridian,
Homer Recording District**

has been subject to discharges and releases and subsequent cleanups of petroleum, regulated under 18 AAC 75, Article 3, as amended October 16, 2005, and 18 AAC 78, Articles 2 and 6, as amended January 30, 2003. These releases and cleanups are documented in the Alaska Department of Environmental Conservation (ADEC) contaminated sites database under the following reference numbers:

ADEC underground storage tank (UST) Facility ID No.846;
ADEC Event ID No.2315;
ADEC Reckey No.1999230011901;
ADEC File No. 2314.26.028

In accordance with 18 AAC 78.276(f)(1), ADEC settled its potential claim with the parties responsible for the discharges and releases. ADEC undertook a cleanup, and reviewed and approved, subject to this institutional control and additional conditions, the cleanup as protective of human health, safety, welfare and the environment. No further cleanup is planned at this site unless new information becomes available to ADEC indicating that the site may pose an unacceptable risk to human health, safety, welfare or the environment. ADEC determined that site cleanup has been performed to the maximum extent practicable even though residual contaminated soil and groundwater is present. Further cleanup was determined to be impracticable due to conflicts with existing road right-of-ways, utilities, and existing structures, and because the depth of excavation required to remove additional contaminated soils.

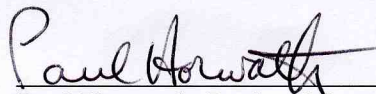
Attached as Figure 2, is a December 2005 Site Layout drawing showing the locations of five (5) groundwater monitoring wells, the building, the groundwater interceptor and diversion system, and estimated areas of residual soil and groundwater contamination.

ADEC's decision not to require additional cleanup action is contingent upon compliance with the following requirements:

1. The asphalt pavement between the building and the Sterling Highway shall remain in

- place in order to limit precipitation infiltration into the ground and minimize exposure to any soil or groundwater contamination that may remain on site.
2. The owner and/or operator of this property shall not disturb the five remaining groundwater monitoring wells (MW-1, MW-3, MW-4, MW-7, and MW-12) and the groundwater interceptor and diversion system, including the 1000-gallon collector tank. Prior to soil excavation or any earthwork to a depth exceeding six (6) inches, ADEC shall be notified in order to locate and mark the location of these monitoring wells and system onsite, similar to a utility locate. In the event any of these items are damaged the property owner/operator shall, upon knowledge, notify ADEC promptly and ADEC will undertake any necessary repair, maintenance or replacement.
 3. In accordance with 18 AAC 78.274(b), contaminated soil or groundwater may not be moved on site, or transported or disposed off-site without ADEC's prior written approval. Figure 2 identifies estimated areas suspected to be contaminated above applicable cleanup levels. The excavation of soil on this property near the Sterling Highway or Bowers Street right-of-ways, or in immediate proximity to the three sides of the building facing the Sterling Highway, may expose residual soil contamination requiring proper safety, management, and disposal practices. Any person(s) intending to excavate or move soils from these areas shall obtain ADEC approval before excavating soil in those areas. Subject to the requirements of AS 37.05.170, if residual contaminated soils on the site are to be excavated in the future, ADEC will, in its discretion, fund the preparation and implementation of a plan of operation to assess soil quality, sort contaminated soil/materials for proper management and disposal, identify the means of soil treatment and disposal and then implement necessary treatment or disposal of contaminated soil excavated in the future. These residual soils cannot now be excavated because of existing buildings, utilities and other structures on the site.
 4. The owner of this property shall allow reasonable access to ADEC and its agents to perform contamination investigation, assessment, monitoring and/or cleanup operations in response to any remaining soil and groundwater contamination.
 5. The installation of groundwater wells is prohibited without the approval of ADEC. This property is currently served by the City of Homer's public water system as required by Homer City Code 17.04.150.

This notice remains in effect until a written determination from ADEC is recorded stating that soil and groundwater at the site has been shown to meet the applicable soil and groundwater cleanup levels.



Paul Horwath, Project Manager
Alaska Department of Environmental Conservation



The foregoing document was acknowledged before me this 28th day of May, 2008 by Paul Horwath, Project Manager of the Alaska Department of Environmental Conservation.



M. Gaiser, Mary Gaiser
Subscribed and sworn to before me this 28th day of May, 2008.

Notary Public in and for the State of Alaska
My commission expires: 11/4/2010

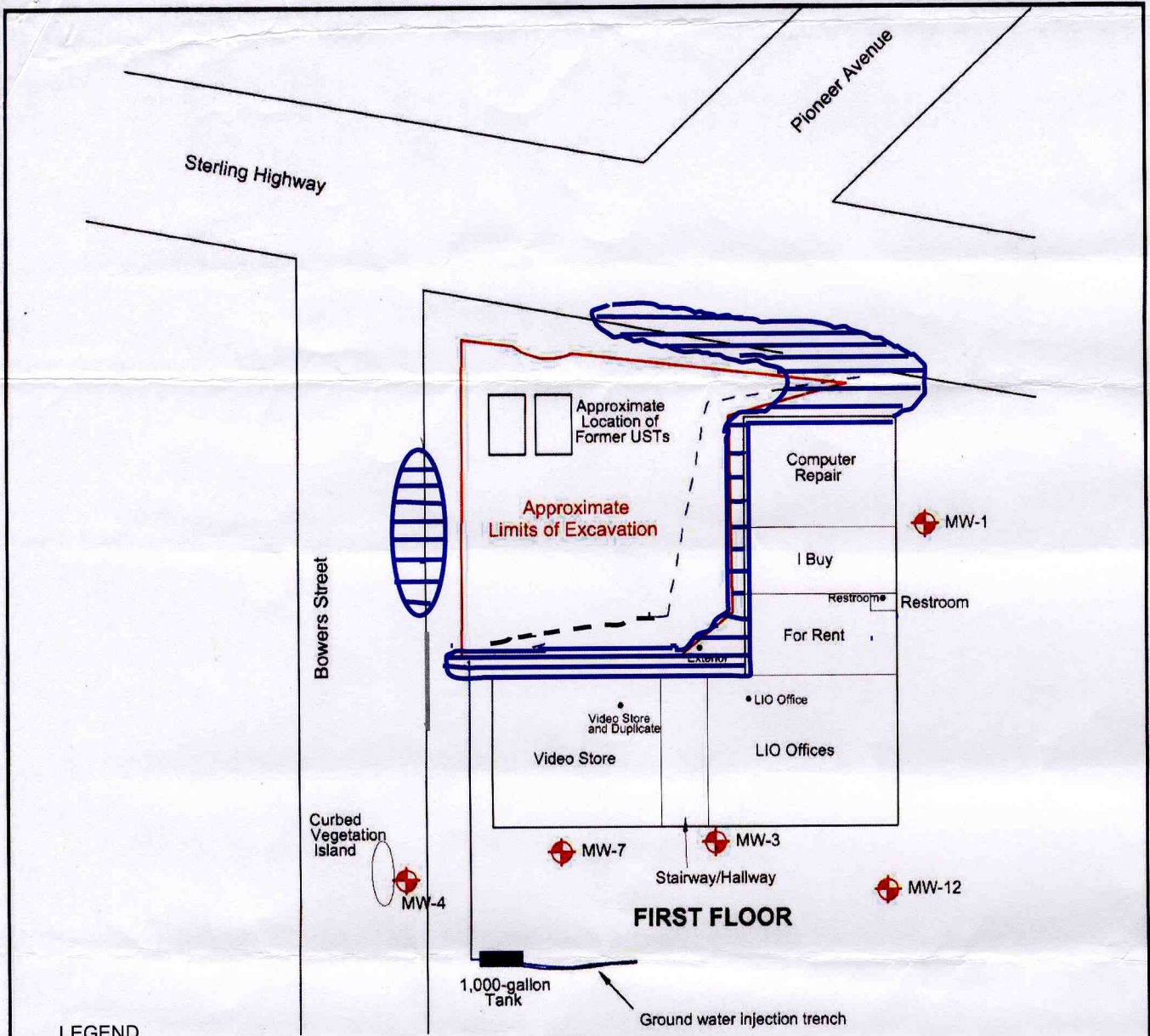
Attachments: December 2005 Site Layout drawing, Figure 2

Please return original copy of this notice to the address below:

Paul Horwath
Alaska Department of Environmental Conservation
43335 Kalifornsky Beach Road, Suite 11
Soldotna, Alaska 99669

STATE BUSINESS, NO CHARGE



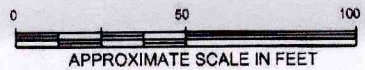


LEGEND

- Estimate of Residual Soil & Groundwater Contamination
- MW-1 Approximate location of Monitoring Wells
- Restroom Air Sample Locations
- Perforated ground water interception drain
- Non-perforated conveyance piping

NOTE: Original drawing created in color.
Some information may be lost if copied or printed in black and white.

SKETCH ONLY
NOT TO SCALE



Reference: Shannon & Wilson file no. 32-1-16710, May 2003

2005 ADDITIONAL MONITORING AND RISK EVALUATION REPORT
FORMER TRILSIDE GENERAL STORE
HOMER, ALASKA

SITE LAYOUT

CLIENT: Alaska Department of Environmental Conservation	PROJECT MANAGER: M. RIESER	APPROVED: M. RIESER	DESIGNED: M. RIESER	APPROX. SCALE: 1" = 50'	REVISION: 0	FIGURE: 2
	PROJECT NO.: 005.0065.05003	DRAWN: K. PAUK	DATE: DECEMBER 2005	FILE: s\proj.\odec\gen.store\fig		

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