

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION DIVISION OF SPILL PREVENTION AND RESPONSE CONTAMINATED SITES PROGRAM

SARAH PALIN, GOVERNOR

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File: 2100.26.300
Certified Return Requested
Article No: 70073020000019487776

February 26, 2009

Jon Clark
Capital Projects Manager
Municipality of Anchorage
P.O. Box 196650
Anchorage, AK 99519-6650

Re: Record of Decision (ROD): MOA – Alaska Center for the Performing Arts
Corrective Action Complete Determination

Dear Mr. Clark:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (ADEC) has completed a review of the environmental records associated with the MOA – Alaska Center for the Performing Arts located at 621 W. 6th Avenue, Anchorage, Alaska. Based on the information provided to date, the ADEC has determined that the contaminant concentrations remaining on site do not pose an unacceptable risk to human health or the environment, and this site will be closed.

This decision is based on the administrative record for MOA – Alaska Center for the Performing Arts, which is located in the offices of the Alaska Department of Environmental Conservation (ADEC) in Anchorage, Alaska. This letter summarizes the decision process used to determine the environmental status of this site and provides a summary of the regulatory issues considered in the Corrective Action Complete Determination.

Introduction

Site Name and Location:

MOA – Alaska Center for the Performing Arts
621 W. 6th Avenue
Anchorage, AK 99501

Name and Mailing Address of Contact Party:

Jon Clark, Capital Projects Manager
Municipality of Anchorage
P.O. Box 196650
Anchorage, AK 99519-6650

Database Record Key and File Number:

ADEC Record Key: 1990210001101

File: 2100.26.300

Hazard ID: 23843

Regulatory authority under which the site is being cleaned up:

18 AAC 75 and 18 AAC 78

Background

Petroleum impacted soil was encountered during the removal of a 1000-gallon diesel underground storage tank (UST) and associated piping. Soil samples were tested for: benzene, toluene, ethylbenzene and xylene (BTEX); and diesel range organics (DRO).

Cleanup Activities

During the tank removal in 1998, approximately 72 cubic yards of soil were excavated. Two on-site stockpiles were created due to space limitations at the site. A total of seven confirmation soil samples were collected from the depths of the excavation, in the piping trench, and from the stockpiled soils. No groundwater was encountered in the excavation.

Three confirmation soil samples, which included one duplicate sample, were taken from the excavation pit, approximately 11.5 feet below ground surface (bgs) directly under the former tank. The analysis showed all three samples to be non-detect or below ADEC cleanup levels for BTEX. One sample was taken at three feet bgs in the piping trench. All BTEX constituent levels were below Table B1 cleanup levels. DRO was detected at 7.25 mg/kg.

Three confirmation samples were collected from the stockpiled soil at a depth of two feet. Stockpile analytical samples detected xylenes up to 0.103 mg/kg and DRO up to 52.5 mg/kg. The analysis of the stockpiled soils did not detect any benzene, toluene, or ethylbenzene. Since analytical results for BTEX and DRO were below ADEC's most stringent cleanup levels, the stockpiled soil was used as backfill for the UST excavation.

Contaminants of Concern

- Diesel Range Organics (DRO)

Cleanup Levels

The soil cleanup levels for this site are established in 18 AAC 75.341, Method Two, Tables B1 and B2, Migration to Groundwater.

<u>Contaminant</u>	<u>Site Cleanup Level (mg/kg)</u>
DRO	250

Pathway Evaluation

The exposure pathways for human health that were evaluated include the following: ingestion of soil; indoor and outdoor inhalation of vapors, and dermal contact with soil. These pathways may be complete but the remaining contaminant concentrations do not exceed the most conservative Method Two cleanup levels established in Tables B1 and B2 which can be found in 18 AAC 75.341.

The exposure pathway analysis above was supported by the most recent ADEC Exposure Tracking Model (ETM) ranking. The ETM results showed all pathways to be De Minimis Exposure or Pathway Incomplete.

ADEC Decision

The cleanup actions to date have served to evaluate the soil at this site. Based on the information available, ADEC has determined no further assessment or cleanup action is required. There is no longer a risk to human health or the environment, and this site will be designated as closed on the Department's database.

Although a Corrective Action Complete Determination has been granted, ADEC approval is required for off-site soil disposal in accordance with 18 AAC 78.600(h). However, since this site has met the most conservative soil cleanup levels, this letter will serve as your approval for future off-site movement and disposal of soil associated with this release. It should be noted that movement or use of potentially contaminated soil in a manner that results in a violation of 18 AAC 70 water quality standards is unlawful.

This determination is in accordance with 18 AAC 78.276(f) and does not preclude ADEC from requiring additional assessment and/or cleanup action if future information indicates that this site may pose an unacceptable risk to human health or the environment.

Appeal

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 -18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Division Director, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 15 days after receiving the Department's decision reviewable under this section. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 30 days after the date of issuance of this letter, or within 30 days after the Department issues a final decision under 18 AAC 15.185. If a hearing is not requested within 30 days, the right to appeal is waived.

If you have questions about this closure decision, please contact the ADEC project manager, Pam Clemens at (907) 269-7551.

Sincerely,



Linda Nuechterlein
Environmental Manager