

STATE OF ALASKA

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

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File: 2107.38.003

July 30, 2009

John Hillborn
Statewide Petroleum Services
6108 Petersburg Street
Anchorage, Alaska 99507

Re: Record of Decision (ROD); Former Sanden Fuel; AKA Schroeder Subdivision
Former Sanden Tesoro; Corrective Action Complete Determination-Institutional Controls

Dear Mr. Hillborn:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (ADEC) has completed a review of the environmental records associated with the Former Sanden Fuel site also known as (AKA) Schroeder Subdivision – Former Sanden Tesoro located at 12512 Old Glenn Highway Eagle River, Alaska. Based on the information provided to date, it has been determined that the contaminant concentrations from various source areas remaining at these sites does not pose an unacceptable risk to human health or the environment and no further remedial action will be required as long as the site is in compliance with established institutional controls.

This decision is based on the administrative record for the Former Sanden Fuel Facility which is located in the offices of the 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 with ICs determination.

Introduction

Site Name and Location:

Former Sanden Fuel Facility
Schroeder Subdivision – Former Sanden Tesoro
12512 Old Glenn Highway
Eagle River, Alaska 99577
Lot 1, Schroeder Subdivision Addition No. 1 & 2, Anchorage Recording District

Name and Mailing Address of Contact Party:

John Hillborn
Statewide Petroleum Services
6108 Petersburg Street
Anchorage, Alaska 99507

Database Record Key and File Number:

File: 2107.38.003

Hazard IDs: 1214 and 23161

Regulatory authority under which the site is being cleaned up:

18 AAC 75 and 18 AAC 78

Background

The subject sites are located in downtown Eagle River on 1.5 acre square lot with an occupied building on the southern portion of the facility. This facility is the location of the former Sanden's Tesoro and operated as a bulk heating fuel distributor and vehicle filling station from the 1970's through 1990. It should be noted that the contamination resulted from spills from both regulated underground storage tanks (USTs) and above ground storage tanks (ASTs). Therefore the UST and CS source areas which are located on the same property, are being tracked separately as two sites in the department's Contaminated Sites Database.

The property was purchased by Hillborn Industries, Inc. in 1999 and currently there is no business operating on-site. The site has been impacted by leaks and spills from an underground storage tank (UST) array; a 1,000 gallon gasoline UST located along the western property edge; and two 15,000 diesel above ground storage tanks (ASTs). The UST array consisted of two 12,000 gallon gasoline USTs, and one 5,000 gallon diesel UST. All known fuel storage tanks were removed from the site by 2001. Soil samples collected at this site have been tested for: diesel range organics (DRO); residual range organics (RRO); benzene, toluene, ethylbenzene, and xylene (BTEX); volatile organic compounds (VOCs), and metals. Groundwater samples have been tested for: diesel range organics (DRO); residual range organics (RRO); and benzene, toluene, ethylbenzene, and xylene (BTEX).

Site Characterization and Cleanup Actions

During the removal of the USTs and ASTs in 1999, Shannon and Wilson (S&W) installed one monitoring well and collected fifteen confirmation soil samples beneath the UST Array, 1,000 gallon gasoline UST, and ASTs in accordance with ADEC regulations. The piping and dispenser system associated with the UST array was not removed. An estimated 380 cubic yards of petroleum impacted soil was stockpiled on-site for further analysis and following sampling in accordance with ADEC regulations, eventually backfilled into the former UST excavation pit. In confirmation and stockpiled soil samples, the levels of DRO ranged from 24.3 to 5,030 mg/kg; GRO levels ranged from nondetect to 358 mg/kg; benzene levels ranged from nondetect to 0.103 mg/kg; and lead levels ranged from 4.03 to 8.93 mg/kg. In the newly installed monitoring well, groundwater was encountered at a depth of 32 feet below ground surface (bgs) and GRO and DRO were detected at levels that exceed DEC cleanup values. In these samples, DRO was detected at a level of 287 mg/L and GRO was detected at a level of 9.4 mg/L. Groundwater samples were also collected in two off-site downgradient monitor wells northwest of the property. In these samples, DRO, GRO, and benzene were detected at maximum concentrations of 103, 29, and 0.00567 mg/L; respectively.

In May 2001, S&W performed the following activities at the site:

- Monitored the removal of the underground piping associated with the former UST array. Confirmation samples were collected at a rate of one per every 10 feet. Nine samples were collected and analyzed for: GRO, DRO, RRO, BTEX, and metals.
- Removed a 1,000 gallon diesel UST and associated piping that was roughly 10 feet in length; three confirmation samples were collected beneath the UST and piping and tested for DRO, GRO, and BTEX.
- Removed a wood crib east of the shop by excavating to 14 feet bgs in an area of roughly 100 square feet. Two confirmation soil samples were collected from beneath the crib and analyzed for metals and volatile organic compounds (VOC's).
- Evaluated floor drain piping by excavated a 15 square foot area to a depth of 9 feet bgs which was 4 feet from the shop where the flour piping terminated. Two soil samples were collected in this test pit and analyzed for: VOC's, DRO, GRO, and metals.

Analytical results from the collected soil samples are as follows: DRO ranged from nondetect to 5,080 mg/kg; GRO ranged from nondetect to 94.1 mg/Kg; benzene ranged from nondetect to 0.568 mg/kg; toluene ranged from nondetect to 7.64 mg/kg; arsenic ranged from 2.02 to 5.44 mg/kg; and chromium ranged from 31.6 to 40.5 mg/kg. All other contaminants were not detected above ADEC cleanup levels established in 18 AAC 75.341 Tables B1 and B2. The confirmation sample results suggested that contaminated soil was still present at the floor drain and dispenser and piping system excavations.

In 2005, Restoration Science and Engineering (RSE) conducted a water well search to review the current usage of drinking water wells in the vicinity of the subject property. The well records review was based on information obtained from the United States Geological Service (USGS), Alaska Department of Natural Resources (ADNR), and Anchorage Water and Waste Water Utility (AWWU). USGS records identified 47 water wells within a ¼ mile radius of the subject property and ADNR records identified 42 wells within a ¼ mile radius of the subject property. Within a 500 foot radius of the subject property, RSE identified five drinking water wells. Three of the wells are positioned downgradient of the subject property (i.e. on Lots 3, 4, 6, and 7, Block 2, Schroeder Subdivision), one of the wells was abandoned, and the fifth well was located upgradient of the subject property. According to AWWU records, the entire area (i.e. within ¼ mile radius) around the subject property is served by AWWU water. RSE personnel met with resident/owners of the property located on Lots 3,4, 6, and 7, Block 2, Schroeder Subdivision and confirmed that the residents are connected to AWWU water.

In July 2008, RSE advanced 3 additional monitoring wells (RSE-1, RSE-2, and RSE-3). Two of the wells, RSE-1 and RSE-2, were installed on the subject property and the third was installed downgradient of the subject site on Lot 2A, Block 2, Schroeder Subdivision, Addition 1&2 (Loch Ness Manor Condominium property). From April 1998 through July 2008, there have been five groundwater monitoring events at the subject site. The groundwater analytical data collected suggests that the groundwater contaminant concentrations are declining and have not expanded beyond Loch Ness Manor Condominium property. In analyzed groundwater samples, GRO ranged from nondetect to 39 mg/L; DRO ranged from nondetect to 510 mg/L; benzene ranged from nondetect to 0.00567 mg/L; toluene ranged from nondetect to 0.007 mg/L; ethylbenzene ranged from nondetect to 67.6 mg/L; and total xylenes ranged from nondetect to 320 mg/L.

Contaminants of Concern

- Diesel Range Organics (DRO)
- Gasoline Range Organics (GRO)
- Benzene
- Toluene
- Ethylbenzene
- Total Xylenes
- Arsenic
- Chromium

Cleanup Levels

The default soil cleanup levels for this site are established in 18 AAC 75.341, Method Two, Table B2 Under 40 inch Zone, Migration to Groundwater.

<u>Contaminant</u>	<u>Site Cleanup Level (mg/kg)</u>
• Diesel Range Organics	250
• Gasoline Range Organics	300
• Benzene	0.02
• Toluene	5.4
• Ethylbenzene	5.5
• Total Xylenes	78
• Arsenic	2
• Chromium	26

The default groundwater cleanup levels for this site are established in 18 AAC 75.345 Table C Groundwater Cleanup Levels.

<u>Contaminant</u>	<u>Site Cleanup Level (mg/L)</u>
• Diesel Range Organics	1.5
• Gasoline Range Organics	1.3
• Benzene	0.005
• Toluene	1.0
• Ethylbenzene	0.7
• Total Xylenes	10
• Arsenic	0.5
• Chromium	0.1

Pathway Evaluation

The exposure pathways for human health that were evaluated include the following: direct contact (Table B2) of soil and groundwater, indoor and outdoor inhalation of vapors, groundwater ingestion and migration to groundwater. The outdoor inhalation and direct contact exposure risk is acceptable as the remaining concentrations in soil are below Method Two inhalation and ingestion cleanup levels. The levels of arsenic and chromium detected in soils are believed to be representative of background concentrations in Eagle River and therefore, are not believed to pose a risk.

The indoor air inhalation (i.e. vapor intrusion) pathway is believed to be incomplete due to the distance volatile organic compounds were detected from the occupied building (i.e. greater than 30 feet) and the presence of clean soil between the source area and occupied building. The groundwater ingestion and migration to groundwater pathways are complete but not believed to pose an unacceptable risk since there are no known active drinking water wells within and near the groundwater contaminant plume. Additionally, all buildings near the contaminant plume were confirmed to be utilizing AWWU water.

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 one of the following: De Minimis Exposure, Exposure Controlled, or Pathway Incomplete.

ADEC Decision

The ADEC has determined there is no unacceptable risk to human health or the environment, and this site will be granted a Corrective Action Complete with ICs determination subject to the following.

1. Any future change in land use may impact the exposure assumptions cited in this document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. Therefore, John Hillborn shall report to ADEC every two years to document land use, or report as soon as John Hillborn becomes aware of any change in land ownership and/or use, if earlier. **This report can be sent to the local ADEC office or electronically to DEC.ICUnit@alaska.gov.**
2. A Notice of Environmental Contamination (deed notice) shall be recorded in the State Recorder's Office that identifies the nature and extent of contamination at the property and any conditions that the owners and operators are subject to in accordance with this decision document.
3. Future installation of groundwater wells will require approval from ADEC.
4. The monitoring wells installed at the property and the surrounding area will continue to be utilized for area-wide groundwater monitoring as part of a required long term groundwater monitoring plan. However, any monitoring wells (MWs) that are not needed for area-wide monitoring must be decommissioned in accordance with ADEC guidance as soon as it is determined MWs are no longer needed.
5. Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 78.600(h) and 18 AAC 78.600 (h). A "site" [as defined by 18 AAC 75.990 (115)] means an area that is contaminated, including areas contaminated by the migration of hazardous substances from a source area, regardless of property ownership. (See attached site figure.)
6. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

The ADEC Contaminated Sites Database will be updated to reflect the change in site status as detailed above, and will include a description of the contamination remaining at the site. When

the site meets the requirements for a Cleanup Complete determination, then the Institutional Controls will be terminated.

This determination is in accordance with 18 AAC 78.276(f) and 18 AAC 75.380(d) 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.

Please sign and return *Attachment A* to ADEC within 30 days of receipt of this letter. If you have questions about this closure decision, please contact the ADEC project manager, Todd Blessing at (907) 269-7699.

Approved By,

Recommended By,



Linda Nuechterlein
Environmental Program Manager



Todd Blessing
Environmental Specialist

Attachment A: Cleanup Complete-ICs Agreement Signature Page

Attachment B: Notice of Environmental Contamination

Attachment C: Site Figures

Cc: Lucas Gamble, Restoration Science and Engineering, Anchorage

2407-38-003
ADEC File No.

7/30/2009

Attachment A: Cleanup Complete-ICs Agreement and Signature Page*

John Hillborn agrees to the terms of this Corrective Action Complete Determination-Institutional Controls determination as stated in this Record of Decision (ROD) document dated 7/30/2009 for the former Sanden Fuel site, Hazard ID: 1214. Failure to comply with the terms of this agreement may result in ADEC reopening this site and requiring further remedial action in accordance with 18 AAC 18 AAC 78.276(f).



Signature of Authorized Representative, Title
John Hillborn, Statewide Petroleum Services

John R Hillborn Pres 141C, Inc 8/4/09

Printed Name of Authorized Representative, Title
John Hillborn, ~~Statewide Petroleum Services~~

Note to Responsible Person (RP):

After making a copy for your records, please return a signed copy of this form to the ADEC project manager, Todd Blessing at the address on this correspondence within 30 days of receipt of this letter.

*Attention ADEC Administration Staff: Please do not file this form until the ADEC project manager has updated the database.

RECEIVED

AUG 07 2009

DEPT. OF ENVIRONMENTAL
CONSERVATION

Attachment B: Notice of Environmental Contamination

NOTICE OF ENVIRONMENTAL CONTAMINATION

Recording District: Anchorage

Pursuant to 18 AAC 75.375, John Hillborn as the owner [and operator] of the subject property, hereby provides public notice that the property located at: 12512 Old Glenn Highway, Eagle River, Alaska, 99577, and more particularly described as follows:

Lot One (1), Block Two (2), SCHROEDER SUBDIVISION ADDITION No. 1 & 2 TO THE TOWNSITE OF ANCHORAGE, according to the official plat thereof, filed under Plat No. 98-101, records of the Anchorage Recording District, Third Judicial District, State of Alaska

has been subject to a discharge or release and subsequent cleanup of oil or other hazardous substances, regulated under 18 AAC 75, Article 3, as amended October 9, 2008. This release and cleanup are documented in the Alaska Department of Environmental Conservation (ADEC) contaminated sites database at http://www.dec.state.ak.us/spar/csp/db_search.htm under Hazard ID number 1214.

ADEC reviewed and approved, subject to this and other institutional controls, the cleanup as protective of human health, safety, welfare, and the environment. No further cleanup is necessary at this site unless new information becomes available that indicates to ADEC that the site may pose an unacceptable risk to human health, safety, welfare, or the environment. ADEC determined, in accordance with 18 AAC 75.325 – 390 site cleanup rules, that cleanup has been performed to the maximum extent practicable even though residual fuel-contaminated soil and/or groundwater) exists on-site. Further cleanup was determined to be impracticable because contaminated soil and groundwater are roughly thirty five to forty feet below the ground surface.

Attached is a site survey or diagram drawn to scale that shows the property boundaries, locations of existing structures, the area that has been cleaned up, the approximate location and extent of remaining soil and/or groundwater contamination and the locations where confirmation soil samples were collected.

The ADEC has determined there is no unacceptable risk to human health or the environment, and this site will be granted a Corrective Action Complete with ICs determination subject to the following.

1. Any future change in land use may impact the exposure assumptions cited in this document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. Therefore, John Hillborn shall report to ADEC every two years to document land use, or report as soon as John Hillborn becomes aware of any change in land ownership and/or use, if earlier. **This report can be sent to the local ADEC office or electronically to DEC.ICUnit@alaska.gov.**
2. A Notice of Environmental Contamination (deed notice) shall be recorded in the State Recorder's Office that identifies the nature and extent of contamination at the property and any conditions that the owners and operators are subject to in accordance with this decision document.
3. Future installation of groundwater wells will require approval from ADEC.
4. The monitoring wells installed at the property and the surrounding area will continue to be utilized for area-wide groundwater monitoring as part of a required long term groundwater monitoring plan. However, any monitoring wells (MWs) that are not needed for area-wide monitoring must be decommissioned in accordance with ADEC guidance as soon as it is determined MWs are no longer needed.

- 5. Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 78.600(h) and 18 AAC 78.600 (h). A "site" [as defined by 18 AAC 75.990 (115)] means an area that is contaminated, including areas contaminated by the migration of hazardous substances from a source area, regardless of property ownership. (See attached site figure.)
- 6. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

In the event that the remaining contaminated soil and/or groundwater becomes accessible or other information becomes available which indicates that the site may pose an unacceptable risk to human health, safety, welfare or the environment, the land owner and/or operator are required under 18 AAC 75.300 to notify ADEC and evaluate the environmental status of the contamination in accordance with applicable laws and regulations; further site characterizations and cleanup may be necessary under 18 AAC 75.325-.390.

Pursuant to 18 AAC 75.325(i)(1) and (2), ADEC approval is required prior to moving soil or groundwater that is, or has been, subject to the cleanup rules found at 18 AAC 75.325-.370. At this site, in the future, if soil is removed from the site or groundwater is brought to the surface (for example to dewater in support of construction) it must be characterized and managed following regulations applicable at that time.

This NEC remains in effect until a written determination from ADEC is recorded that states that soil and/or groundwater at the site has been shown to meet the most stringent soil cleanup levels in method two of 18 AAC 75.340 and/or groundwater meets the cleanup levels in Table C in 18 AAC 75.345 and that off-site transportation of soil and/or groundwater is not a concern.

This document will be filed in the Anchorage recording district.

Signature(s): _____

Printed Name(s): _____

Mailing Address(s): _____

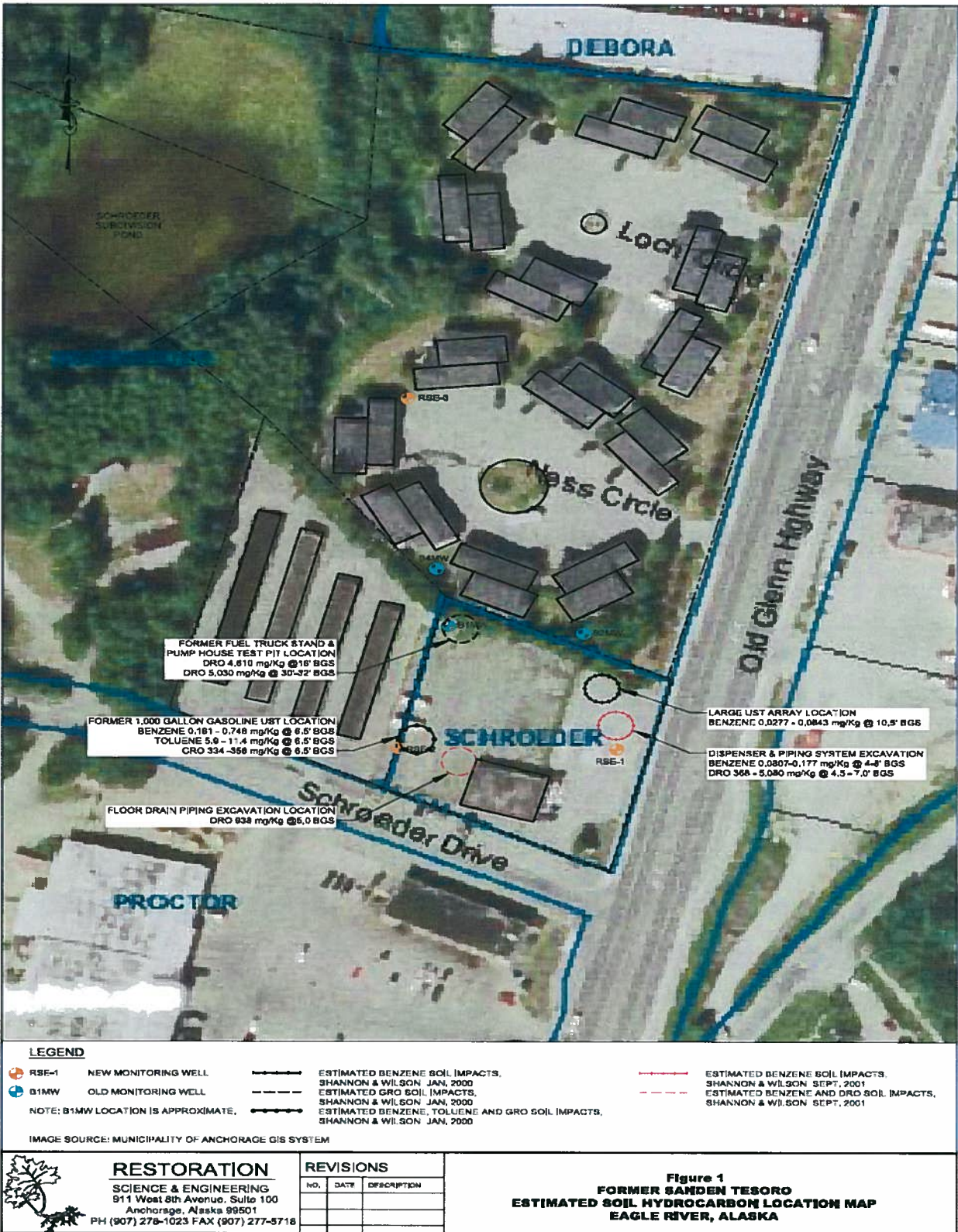
(Notarization seal)

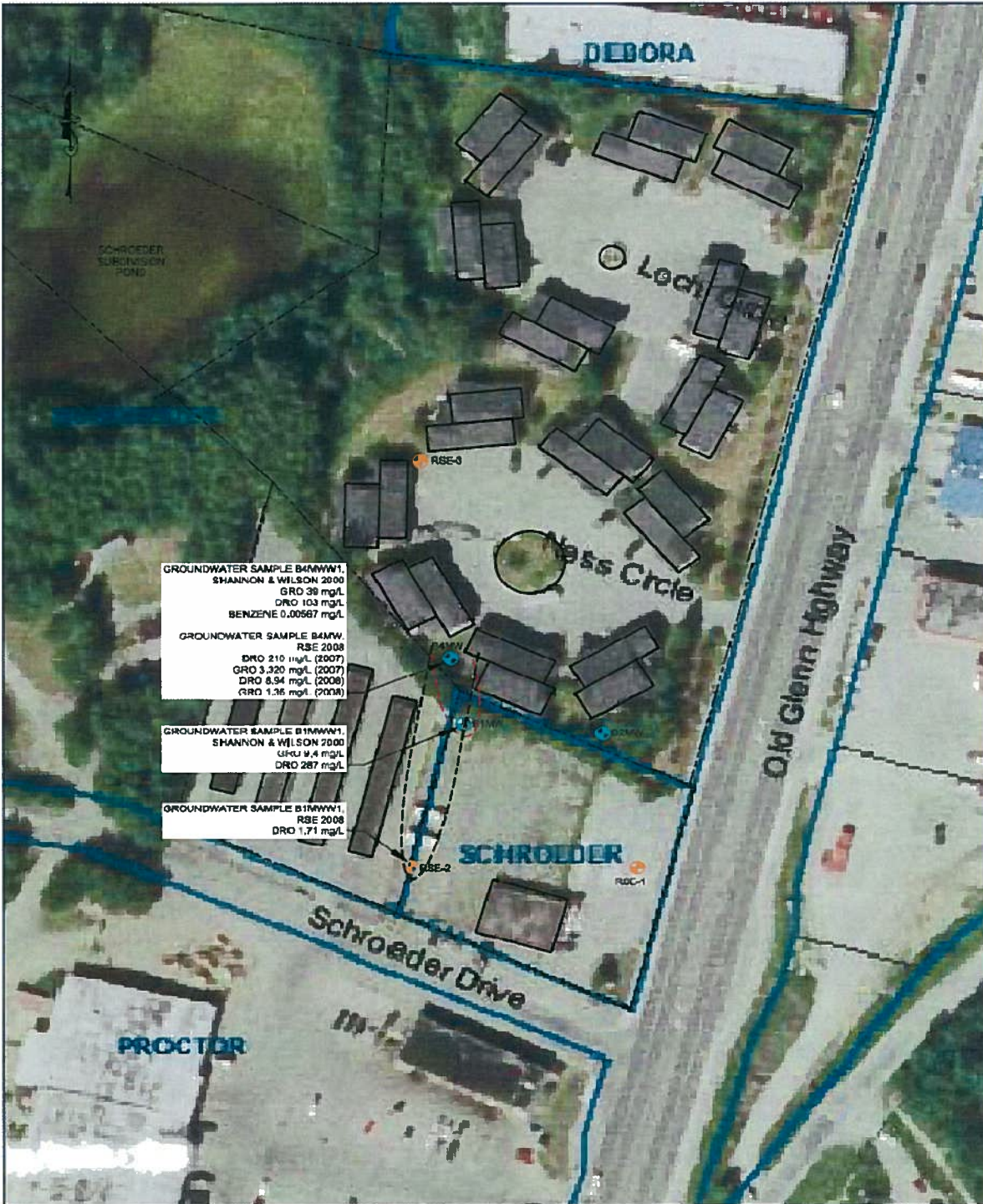
Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public in and for the State of _____

My commission expires: _____

Attachment C: Site Figures





LEGEND

- RSE-1 NEW MONITORING WELL
- B11MW OLD MONITORING WELL
- ESTIMATED HYDROCARBON GROUNDWATER PLUME, RSE OCT, 2008
- ESTIMATED HYDROCARBON GROUNDWATER PLUME, SHANNON & WILSON JAN, 2000

NOTE: B11MW LOCATION IS APPROXIMATE.

IMAGE SOURCE: MUNICIPALITY OF ANCHORAGE GIS SYSTEM

RESTORATION
 SCIENCE & ENGINEERING
 911 West 8th Avenue, Suite 100
 Anchorage, Alaska 99501
 PH (907) 278-1023 FAX (907) 277-5718

REVISIONS		
NO.	DATE	DESCRIPTION

Figure 2
FORMER SANDEN TESORO
ESTIMATED IMPACTED GROUNDWATER LOCATION MAP
EAGLE RIVER, ALASKA