STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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August 26, 2011

File: 1513.38.084

Richard Harris
RH Development
9351 Glacier Highway
Juneau, Alaska 99801

Re: Cleanup Complete Determination; RH Development-- property at 9351 Glacier Highway

Dear Mr. Harris:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (DEC) has completed a review of the environmental records associated with the RH Development property located at 9351 Glacier Highway, in Juneau, 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 site's administrative record, which resides at the Contaminated Sites Program offices of the Alaska Department of Environmental Conservation in Juneau, 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 Cleanup Complete Determination.

Introduction

Site Name and Location:
RH Development
9351 Glacier Highway
Juneau, Alaska 99801

Name and Mailing Address of Contact Party:
Richard Harris
RH Development
9351 Glacier Highway
Juneau, Alaska 99801

Database Record Key and File Number:
ADEC Reckey:
File: 1513.38.084
Hazard ID: 25608

Regulatory authority:
18 AAC 75

Background
On October 27, 2010 a pollution incident occurred at the commercial property of 9351 Glacier Highway. A release from an aboveground storage tank (AST) or aboveground fuel line was reported to the DEC Southeast Area Response Team (SART). The cause of the leak was believed to be either a break in a compression fitting in the fuel line or from the fuel tank filter. The fuel loss volume reported by the property owner was approximately 150 gallons of diesel #1.

The property is an old house converted into retail space. At the time of the incident the retail space was rented to Luxury Lounge. The property is located on the corner of Glacier Highway and Mendenhall Loop road. The property is 55 meters away from Duck Creek, which is a small, anadromous fish stream. This stream provides the Mendenhall Valley with an essential resource; consisting of storm drainage, flood control, and wildlife habitat. It also provides overwintering habitat for juvenile Coho salmon, which migrate into the stream each fall.

Site Investigation
Under the oversight of SART personnel, the interim removal action of contaminated soils yielded approximately 2 cubic yards which were transported to the Bicknell Asphalt Plant in Juneau. Carson Dorn, Inc. (CDI) collected three soil samples (plus one field duplicate) to be analyzed for diesel range organics (DRO). Soil sample (S-1 and duplicate S-4) were collected from underneath the former tank, sample S-2 was collected underneath the compression fitting, and sample S-3 was collected underneath the crawl space. The sample results (see Table 1) for S-2 and S-3 were non-detect (ND) and met the 230 mg/kg DRO cleanup level. Contamination above the 230 mg/kg DRO cleanup level was found in sample S-1 and the associated field duplicate, S-4.

Table 1– Summary of Soil Contamination, location, and Depth.

Sample	Sample location	Depth (inches)	DRO concentration (mg/kg)
S-1	Beneath former tank	12–18	740
S-2	Under compression fitting	6-12	46
S-3	Underneath crawl space	0-6	ND

S-4	Duplicate beneath former tank	12–18	440

On July 13, 2011, an additional 4.5 cubic yards of soil were excavated by Rich Harris with oversight by CDI and ADEC. Within the parameters of safety and limitations of the excavation equipment, soil was removed to a depth of 7 feet below the ground surface adjacent to the foundation of the rental property. Subsequent field screening performed by CDI along the sidewalls of the excavation indicated no remaining contamination.

The soil was approved for offsite transport and treatment at the Bicknell Asphalt Plant where it was incorporated into asphalt. Upon completion of the July 2011 excavation work, Jolene Cox of CDI performed confirmation soil sampling. One soil sample (S-5) and one field duplicate (S-6) was collected from the bottom of the excavation. The sample results were ND for DRO. Groundwater was not encountered during the excavation. Residual heating fuel contamination remains underneath the foundation stem wall of the building, but this layer of soil is de minimis and could not be excavated without undermining the foundation. Fertilizer was applied along the stem wall area during backfill in order to increase the speed of contamination degradation. Clean borrow material from offsite was used to backfill the excavation.

Contaminants of Concern
During the investigations at this site, soil samples were analyzed for diesel range organics (DRO). Based on these analyses and knowledge of the source area, the following Contaminant of Concern was identified:

- Diesel Range Organics (DRO)

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

Contaminant	Site Cleanup Level (mg/kg)
DRO	230

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

Contaminant	Site Cleanup Level (mg/L)
DRO	1.5

Pathway Evaluation

Following investigation and cleanup at the site, exposure to the remaining contaminants was evaluated using DEC's Exposure Tracking Model (ETM). Exposure pathways are the conduits by which contamination may reach human or ecological receptors. ETM results show all pathways to be one of the following: De Minimis Exposure, Exposure Controlled, or Pathway Incomplete. A summary of this pathway evaluation is included in Table 2.

Table 2 – Exposure Pathway Evaluation.

Pathway	Result	Explanation
Surface Soil Contact	Pathway Incomplete	The soil stockpile has been transported offsite and will be used in road construction activities. There is no remaining surface soil contamination.
Sub-Surface Soil Contact	De Minimis Exposure	There is remaining residual DRO contamination underneath the foundation stem wall of the building, but it not readily accessible and poses little threat to potential receptors.
Inhalation – Outdoor Air	Pathway Incomplete	Contamination remains in the subsurface soil, but is limited in volume and is not volatile.
Inhalation – Indoor Air (vapor intrusion)	De Minimis Exposure	Soil contamination remains beneath the foundation stem wall. The remaining extent of contamination is believed to be limited, and vapors from the soil are unlikely to pose a significant risk to the crawl space air quality.
Groundwater Ingestion	Pathway Incomplete	Groundwater was not encountered during the investigations. There are no drinking water wells in the vicinity of this site and groundwater should unlikely be impacted by remaining contamination.
Surface Water Ingestion	Pathway Incomplete	Residual contamination migration to near-by Duck creek is not anticipated.
Wild Foods Ingestion	Pathway Incomplete	The soil stockpile has been transported off-site and will be used in construction activities. There is no surface soil contamination remaining. This is not a location that is used for wild foods collection.

Exposure to Ecological Receptors	Pathway Incomplete	The soil stockpile has been transported offsite and will be used in road construction activities.

Notes to Table 2: "De Minimis exposure" means that in DEC's judgment receptors are unlikely to be affected by the minimal volume of remaining contamination. "Pathway incomplete" means that in ADEC's judgment contamination has no potential to contact receptors. "Exposure controlled" means there is an administrative mechanism in place limiting land or groundwater use, or a physical barrier in place that deters contact with residual contamination.

DEC Decision

The cleanup actions to date have served to excavate and adequately remove contaminated soil from the site. Based on the information available, DEC 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.

NOTE: Although a Cleanup Complete determination has been granted, DEC approval is required for off-site soil disposal in accordance with 18 AAC 75.325(i). 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 75.380(d) and does not preclude DEC 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 DEC project manager, Erik Norberg at (907) 465-5368.

Approved By,

Sally Schlichting
Environmental Program Manager

Recommended By

Erik Norberg
Environmental Program Specialist