



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Environmental  
Conservation

DIVISION OF SPILL PREVENTION &  
RESPONSE  
Contaminated Sites Program

43335 Kalifornsky Beach Road, Suite 11  
Soldotna, Alaska 99669  
Main: 907.262.5210  
Fax: 907.262.2294

File No: 2320.38.073

September 13, 2013

Gabe Juliussen  
Kenaitze Indian Tribe  
P.O. Box 988  
Kenai, Alaska 99611

Re: Decision Document: Den'aina Wellness Center  
Cleanup Complete Determination

Dear Mr. Juliussen:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (ADEC) has completed a review of the environmental records associated with the Den'aina Wellness Center site, located at 508 Upland Street, Kenai, Alaska. Based on the information provided to date, it has been determined that the contaminant concentrations remaining on site do not pose an unacceptable risk to human health or the environment and no further remedial action will be required at this time.

This decision is based on the administrative record for the Den'aina Wellness Center site which is located in the offices of the ADEC in Soldotna, 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 this Cleanup Complete Determination.

**Site Name and Location:**

Den'aina Wellness Center  
508 Upland Street  
Kenai, Alaska 99611

**Name and Mailing Address of Contact Party:**

Gabe Juliussen  
Kenaitze Indian Tribe  
P.O. Box 988  
Kenai, Alaska 99611

**DEC Site Identifiers:**

File No: 2320.38.073  
Hazard ID: 25900

**Regulatory Authority for Determination:**

18 AAC 75

### **Property Legal Description:**

Tract A, Block 5 Townsite of Kenai, Kenaitze Addition Subdivision, According to the Official Plat Thereof, Filed Under Plat Number 2012-11, Records of the Kenai Recording District, Third Judicial District, State of Alaska.

### **Site Description and Background**

This site was historically the location of the City of Kenai Power Plant and is now the location of the newly constructed Den'aina Wellness Center, located in Kenai Alaska. In 2012 during the construction activities of the new facility, petroleum contamination was identified at two locations at the site. A release investigation that followed in 2013 indicated that minimal contamination was associated with this release. Remediation efforts included the removal of approximately 70 cubic yards of contaminated soil, and assessment of the soil and groundwater. During site assessment and cleanup response measures, soil samples collected at this site were tested for: gasoline range organics (GRO), diesel range organics (DRO), residual range organics (RRO), benzene, toluene, ethylbenzene, and xylenes (BTEX), and polychlorinated biphenyls (PCBs).

Groundwater was encountered at a depth of 25 to 26 feet below ground surface (bgs) during site assessment work. There are no known drinking water wells located immediately down-gradient of the site, and the site and adjacent properties are serviced by the City of Kenai public water and sewer service.

### **Contaminants of Concern**

The following petroleum contaminants of concern exceeding ADEC cleanup levels were identified during the course of the site investigations summarized in the Site Characterization and Cleanup Actions section of this decision letter.

- Diesel Range Organics (DRO)

### **Cleanup Levels**

The default soil cleanup level for DRO at this site is established in 18 AAC 75.341, Method Two, Table B2, Under 40 inch Zone, 'Ingestion' level. ADEC 'migration to groundwater' soil cleanup levels are not applicable at this site because groundwater is not used as a drinking water source.

### **ADEC Approved Soil Cleanup Level**

- DRO 10,250 mg/kg

### **Site Characterization and Cleanup Actions**

Characterization and cleanup activities under 18 AAC 75.335, conducted under the regulatory authority of the Contaminated Sites Program began in August of 2012 during excavation activities of near surface soils for the construction of the access driveway for the new Den'aina Wellness Center,

located off Upland Street. Petroleum hydrocarbon contamination was encountered with diesel range organics (DRO) at 1,020 and 7,010 mg/kg at depths of 2 and 5 feet bgs respectively. Approximately 50 cubic yards (larger stockpile) of contaminated soil was excavated and transported to Foster Construction's Beaver Loop Road barrow pit for temporary storage.

On September 7, 2012 during the installation of a new water line located off Overland Avenue, an additional area of petroleum contaminated soil was identified. Approximately 20 cubic yards (smaller stockpile) of contaminated soil was excavated and transported to Foster Construction's Beaver Loop Road barrow pit for temporary storage. The depth of the excavation was to approximately 18-inches below the water line. Samples collected following the excavation detected DRO at the base of the excavation at 5,340 mg/kg, at the end wall at 1,250 mg/kg, and at the side wall at 6,300 mg/kg. The stockpiled soils were also sampled with DRO detected at 5,480 mg/kg.

On January 19, 2013 an additional release investigation was conducted with two soil borings advanced in the two areas with previously identified DRO soil contamination. DRO was detected at 5 to 7 feet bgs in the area identified during the August of 2012 investigation (off Upland Street) at 2,590 mg/kg. No soil contamination was detected in the boring completed off Overland Avenue. Groundwater was encountered at a depth of approximately 25 to 26 feet bgs, with no apparent hydrocarbon contamination.

On June 13, 2013 the approximately 50 cubic yards (larger stockpile) of stockpiled soil was sampled with DRO detected at 214 and 577 mg/kg. On August 9, 2013, ADEC approved the transport and land spreading of the approximately 50 cubic yards (larger stockpile) at the Den'aina Wellness Center construction site to be used in the construction of flower gardens. The 20 cubic yards was approved for transport to Alaska Soil Recycling in Anchorage, for treatment and disposal. ADEC received confirmation that the larger stockpile and smaller stockpile had been transported as approved on September 10 and 11, 2013.

Following the completion of site characterizations and cleanup actions performed at this site from 2012 to 2013, residual soil contamination remained in the subsurface soil exceeding the ADEC's Method Two 'Migration to Groundwater' soil cleanup levels, but not exceeding the cleanup levels set for this site, within the areas identified on the DOWL HKM Figure 2, Site Map, dated June 5, 2012 (see Attachment A).

Groundwater was encountered at a depth of 25 to 26 feet bgs with no apparent impact to the groundwater. There are no known drinking water wells located immediately down-gradient of the site, and the site and surrounding properties are serviced by the City of Kenai public water and sewer service.

**Cumulative Risk Evaluation**

Based on a review of the environmental record, ADEC has determined that residual contaminant concentrations do not pose a cumulative human health risk.

**Exposure Pathway Evaluation**

Following investigation and cleanup at the site, exposure to the remaining contaminants was evaluated using ADEC'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, or Pathway Incomplete. A summary of this pathway evaluation is included in Table 1.

**Table 1 – Exposure Pathway Evaluation**

Pathway	Result	Explanation
Surface Soil Contact	De-minimis Exposure	Residual contamination in surface soil is below ADEC's 'ingestion' soil cleanup levels.
Sub-Surface Soil Contact	De-minimis Exposure	Residual contamination in subsurface soil is below ADEC's 'ingestion' soil cleanup levels.
Inhalation – Outdoor Air	De-minimis Exposure	Residual contamination in surface and subsurface soil is below ADEC's 'inhalation' soil cleanup levels.
Inhalation – Indoor Air (vapor intrusion)	De-minimis Exposure	Indoor air is unlikely to be affected by the residual DRO in the surface and subsurface soils.
Groundwater Ingestion	Pathway Incomplete	Groundwater is not believed to have been impacted and this site is serviced by the City of Kenai Municipal public water service.
Surface Water Ingestion	Pathway Incomplete	Residual contamination has no potential to impact surface water.
Wild Foods Ingestion	Pathway Incomplete	Contaminants of concern do not have the potential to bioaccumulate in plants or animals.
Exposure to Ecological Receptors	Pathway Incomplete	The residual contamination has no potential to contact ecological receptors.

Notes to Table 1: “De-minimis Exposure” means that in ADEC’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.

## **ADEC Decision**

The cleanup actions to date have served to adequately remove contaminated soil from this site, and reduce soil and groundwater contaminant concentrations. Contamination does not remain on site above established soil cleanup levels, and ADEC has determined there is no unacceptable risk to human health or the environment. Therefore, we are issuing this Cleanup Complete determination with the following standard condition:

1. Any proposal to transport soil off-site requires ADEC approval in accordance with 18 AAC 75.325(i). 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. The excavation of soil on this property in the vicinity of the two (2) estimated areas identified in the DOWL HKM Figure 2, Site Map, dated June 5, 2012 (see Attachment A) may expose contaminated soil requiring proper safety, management, and disposal practices. Any person(s) excavating soil or moving soil from the vicinity of these two areas shall contact ADEC and should coordinate with the Kenaitze Indian Tribe. The Kenaitze Indian Tribe shall provide the services of a qualified impartial third party, as required in 18 AAC 75, in order to properly monitor, assess, manage, treat, and dispose of any contaminated media, in accordance with all applicable ADEC regulations at that time.

The ADEC Contaminated Sites Database will be updated to reflect the change in site status as '*Cleanup Complete*', and will include a description of the contamination remaining at the site.

This determination is in accordance with 18 AAC 75.380 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. The Kenaitze Indian Tribe remains liable for any additional assessment and/or cleanup actions(s), should ADEC impose such a requirement.

It should be noted that movement or use of potentially contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

## **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 Document, please contact me at (907) 262-3412, or via e-mail at [peter.campbell@alaska.gov](mailto:peter.campbell@alaska.gov)

Sincerely,



Peter Campbell  
Environmental Program Specialist

Attachment A: DOWL HKM Figure 2, Site Map, dated June 5, 2012

Cc: Arne Tikka, Alaska Consulting and Environmental Engineering, Soldotna, Alaska  
Phil Young, Rise Alaska, LLC, Anchorage, Alaska  
Matt Carey, Nesser Construction, Inc., Anchorage, Alaska