



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of
Environmental Conservation

DIVISION OF SPILL PREVENTION & RESPONSE
Contaminated Sites Program

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File No: 2100.26.221

October 1, 2013

NORCON, Inc.
c/o John M. (Jack) Miller
Law Office of John M. Miller, LLC
2448 Brooke Drive
Anchorage, AK 99517

Re: Decision Document: Eastwind/VECO Yard
Corrective Action Complete Determination for soil

Dear Mr. Miller;

The Alaska Department of Environmental Conservation, Contaminated Sites Program (ADEC) has reviewed the environmental record associated with the Eastwind/VECO Yard site (site) in Anchorage. Based on the records provided, currently located in our file at the above return address, ADEC has determined that the contaminant concentrations in soils remaining at this Leaking Underground Storage Tank (LUST) site do not pose an unacceptable risk to human health or the environment, and grants site closure for site soils only.

This letter summarizes the site information and applicable regulations considered for this Corrective Action Complete Determination for site soils.

Site Name and Location:

Eastwind/VECO Yard
6501, 6601 and 6645 Changeport Drive
Anchorage, AK 99518

Name and Mailing Address of Contact Party:

NORCON, Inc.
c/o John M. (Jack) Miller
Law Office of John M. Miller, LLC
2448 Brooke Drive
Anchorage, AK 99517

Database File Number and Hazard ID:

File: 2100.26.221
Hazard ID: 24736

**Regulatory authority under which the site
is being cleaned up:**

18 AAC 78 and 18 AAC 75

Site Description and Background

This Leaking Underground Storage Tank (LUST) site is one of several source areas on the approximately 34 acre property formerly owned and operated by Eastwind, Inc. and VECO, Inc., shown within the dashed perimeter below. The approximate location of the former LUSTs is shown in the oval close to the center of the property. Eastwind developed the property in the early 1980s. The site became known as Eastwind/VECO after VECO, Inc. acquired Eastwind in the early 1990s. CH2MHill acquired VECO in 2007 but VECO's former subsidiary NORCON remains the responsible party for contamination associated with Eastwind/VECO's use of the site through approximately 1997.

Contamination at the site was associated with two regulated Underground Storage Tanks (USTs), and a fuel dispenser and piping that were installed in April 1982 by Eastwind. The USTs were installed in a single excavation and included a 10,000 gallon UST used to store diesel and a 2,500 gallon UST that was initially used to store kerosene and later, gasoline.

The former configuration of site structures, including the location of the tanks and dispenser island are shown on attached Figure 1. The USTs were located within the footprint of the cold storage building constructed in 1998 and 1999, shown on the figure above and on attached Figure 2. The facility is currently owned by ChangePoint Church's parent company, Anchorage Community Development.

In 1998 a "No Further Action" closure decision for site soils only was granted, then later rescinded by ADEC. This closure letter reinstates the closure decision for site soils associated with the LUST site. This decision does not include groundwater. The groundwater pathway is not included in this closure determination, and will be addressed in separate correspondence.

Contaminant of Concern in Site Soil

The following petroleum contaminants of concern, defined as the contaminant documented at concentrations above approved cleanup levels, were identified in site soil during the course of the site investigations summarized in the Characterization and Cleanup Activities section of this decision letter.

- Diesel Range Organics (DRO)
- Gasoline Range Organics (GRO)
- Benzene

This letter considers site soils only. As noted above, the groundwater pathway is not included in this closure determination, and will be addressed in separate correspondence.



Cleanup Levels for Site Soil

DRO was documented in soil at a concentration of 24,300 mg/kg, above the inhalation, ingestion and migration to groundwater cleanup levels established in 18 AAC 75.341 (d), Table B2. GRO and benzene were documented in site soil at respective concentrations of 380 mg/kg and 0.38 mg/kg, above the migration to groundwater cleanup levels established in 18 AAC 75.341 (d), Table B2.

Table 1 – Approved Cleanup Levels (Site Soils only)

Contaminant	Soil (mg/kg)
DRO	250
GRO	300
Benzene	0.025

mg/kg = milligrams per kilogram

Characterization and Cleanup Activities

Soil and groundwater at the location of the USTs was first investigated in August 1992 as part of an investigation of all contaminant sources on the Eastwind property.¹

The 1992 investigation included excavating test pits, TP3 and TP4, and completing a 20-foot deep boring completed as a monitoring well (B5MW). One soil sample was collected from each test pit and results are as follows: TP3 contained 5,820 mg/kg DRO at a depth of 2 feet and TP4, sampled at a depth of 2 feet, had no detections above the cleanup level for any compound. The single soil sample collected from B5MW did not exceed cleanup levels for any compound but contained 181 mg/kg DRO, at a depth of 14.5-15.5 feet, which was over 10 feet below the soil/groundwater interface.

In October 1995 AGRA Earth and Environmental documented the removal of the tanks, dispensers and piping and sampled soil at the limits of the excavation; sampled the soil in the approximately 144 cubic yard (cy) stockpile created during tank removal; and sampled the groundwater within the open excavation.² A soil sample collected at the limit of the excavation 2 ft. below the dispenser island contained 380 mg/kg gasoline range organics (GRO), 0.38 mg/kg benzene, and 24,300 mg/kg diesel range organics (DRO). For samples from the limits of the two tank excavations DRO exceeded the most stringent cleanup level with a concentration of 2,700 mg/kg below the diesel tank (depth not provided). All samples were analyzed for GRO, DRO and benzene, toluene, ethylene and xylenes (BTEX). Following tank removal, Eastwind lined the excavation with geotextile fabric and backfilled the excavation with the stockpiled contaminated soil.

In October 1997 contaminated soil associated with the former USTs was removed. The soil within the geotextile liner was removed first and transported to Anchorage Soil Recycling (ASR) for thermal treatment and subsequent disposal. Additional soil was excavated in all directions out from

¹See 1992 *Environmental Site Investigation...September 1992* prepared by Shannon & Wilson, Inc. for National bank of Alaska.

²See *Summary of Findings Report, UST Closure Program* dated November 29, 1995, prepared by AGRA on behalf of Eastwind, Inc.

the former UST system location.³ The final excavation dimensions were 60 ft. by 90 ft. by 10 ft. deep. Field screening and sampling were done in accordance with ADEC and EPA regulations and guidance. Twelve samples were collected for analysis at the limits of the excavation. All analytical results were below cleanup levels for the contaminants of concern, listed in the following section. All benzene concentrations were non-detectable; GRO concentrations ranged from non-detectable to 2.35 mg/kg and DRO concentrations ranged from non-detectable to 81.5 mg/kg. Lead concentrations detected ranged from 2.99 to 4.34 mg/kg.

The UST area was re-sampled for polycyclic aromatic hydrocarbon (PAH) on August 19, 1998 by consultant TELLUS at ADEC's request in accordance with 18 AAC 78 regulations. All results were below applicable cleanup levels.⁴

ADEC granted site closure to Eastwind/VECO for soils only in a letter dated May 12, 1998, finding that contaminated soils exceeding the applicable cleanup levels for the site had been excavated and removed from the site for thermal remediation.⁵ The letter noted that groundwater contamination at the site still needed to be addressed and ADEC expected to require that VECO/Eastwind install at least two permanent monitoring wells following construction of the Alaska Seafood International seafood processing facility. ADEC's September 1, 1998 letter to VECO/Eastwind's counsel rescinded the closure for site soil after additional contaminated soil was discovered to have been excavated and transported off-site in mid-August 1998.

Cumulative Risk Evaluation

Pursuant to 18 AAC 75.325(g), when detectable contamination remains on-site following a cleanup, a cumulative risk determination must be made that the risk from hazardous substances does not exceed a cumulative carcinogenic risk standard of 1 in 100,000 across all exposure pathways and does not exceed a cumulative noncarcinogenic risk standard at a hazard index of one across all exposure pathways.

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, Exposure Controlled, or Pathway Incomplete. A summary of this pathway evaluation is included in Table 2.

³ See *Field Summary Report Former Underground Storage Tank Area...December 1997* prepared by TELLUS on behalf of Eide & Miller, counsel for VECO.

⁴ See *ASI Resampling Effort* report by TELLUS dated September 10, 1998.

⁵ See ADEC letters dated May 12, 1998 and September 1, 1998, both to Eide & Miller, counsel for VECO/Eastwind.

Table 1 – Exposure Pathway Evaluation

Pathway	Result	Explanation
Direct Contact with Surface Soil	Pathway Incomplete	Contaminated soil was excavated and contaminants were not detected above the most stringent ADEC cleanup levels following cleanup.
Direct Contact with Sub-Surface Soil	De Minimis Exposure	Contaminants were not detected above the most stringent ADEC cleanup levels following cleanup.
Outdoor Air Inhalation	Pathway Incomplete	The remaining contamination is below inhalation cleanup levels.
Groundwater Ingestion	NA	<u>Site soils only</u> addressed in this closure decision.
Surface Water Ingestion	Pathway Incomplete	Surface water contamination was not documented at the site.
Wild or Farmed Foods Ingestion	Pathway Incomplete	Wild foods are not collected in this area.
Indoor Air Inhalation (Vapor Intrusion)	Pathway Incomplete	Contaminants do not remain in site soil or groundwater at levels above the most stringent ADEC cleanup levels.
Other Human Health	Pathway Incomplete	Contaminants do not remain in site soil or groundwater at levels above the most stringent ADEC cleanup levels.
Ecological	Pathway Incomplete	There are no complete exposure pathways to ecological receptors at the site.

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. “Exposure Controlled” means there is an administrative mechanism in place limiting land or ground water use, or a physical barrier in place that deters contact with residual contamination.

ADEC Decision

Based on the information available, ADEC has determined no further assessment or cleanup action is required for soil associated with the subject site. Additional characterization of groundwater is not complete and therefore the site remains open with respect to groundwater. There is no longer a risk to human health or the environment for site soils, and this site will be designated as closed with respect to site soils only on the Department's database.

The remaining petroleum contamination in soil is below approved cleanup levels. The closure designation for site soils is subject to the following standard conditions.

Standard Conditions

1. Any proposal to transport soil or groundwater off-site requires ADEC approval in accordance with 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 Figure incorporated in this letter, above, for perimeter of site).

2. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

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.

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 for site soil, please contact me at (907) 269-7527.

Sincerely,



Eileen Olson
Environmental Program Specialist

Attachments: Figure 1 – Former location of site structures and USTs
Figure 2 – Overlay figure showing past and current structures, UST locations

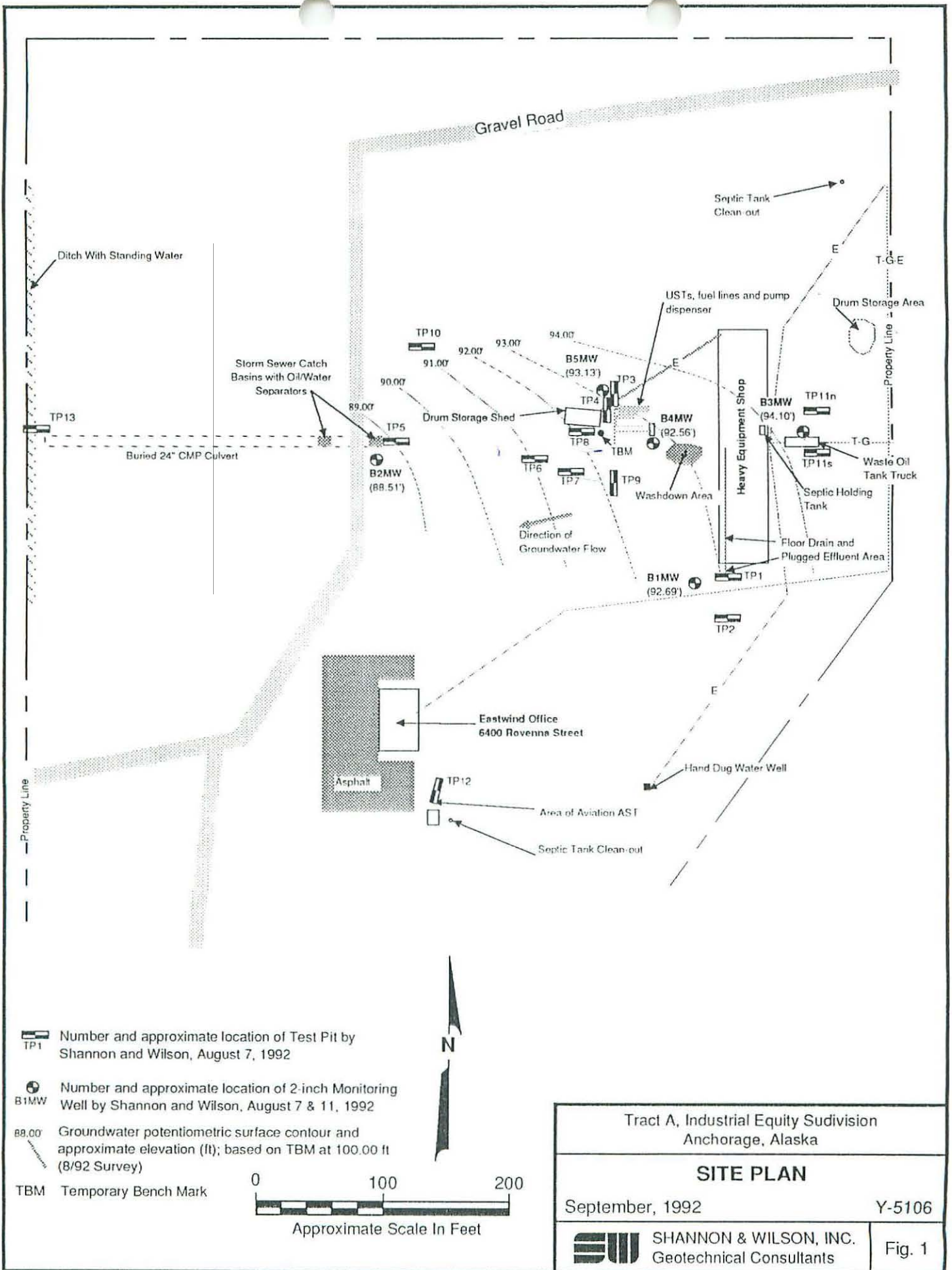


FIGURE 1

B ~ Testpits North + South of wasteoil tanker
(Ø to 4.5 ft) DRO

C ~ Wasteoil tanker (Ø to ?) All

D ~ Washdown Area (Ø to ?) All

E ~ Around Drum Storage Shed (Ø to ?) All

F ~ BSMW (Ø to 15 ft) DRO

I ~ TP13 end of culvert (Ø to 1 ft) DRO RRO

G ~ TP5 east of CW sep. (Ø to 5 ft) DRO RRO

H ~ BMW (Ø to 5 ft) DRO, RRO

Approximate
location of former
USTs

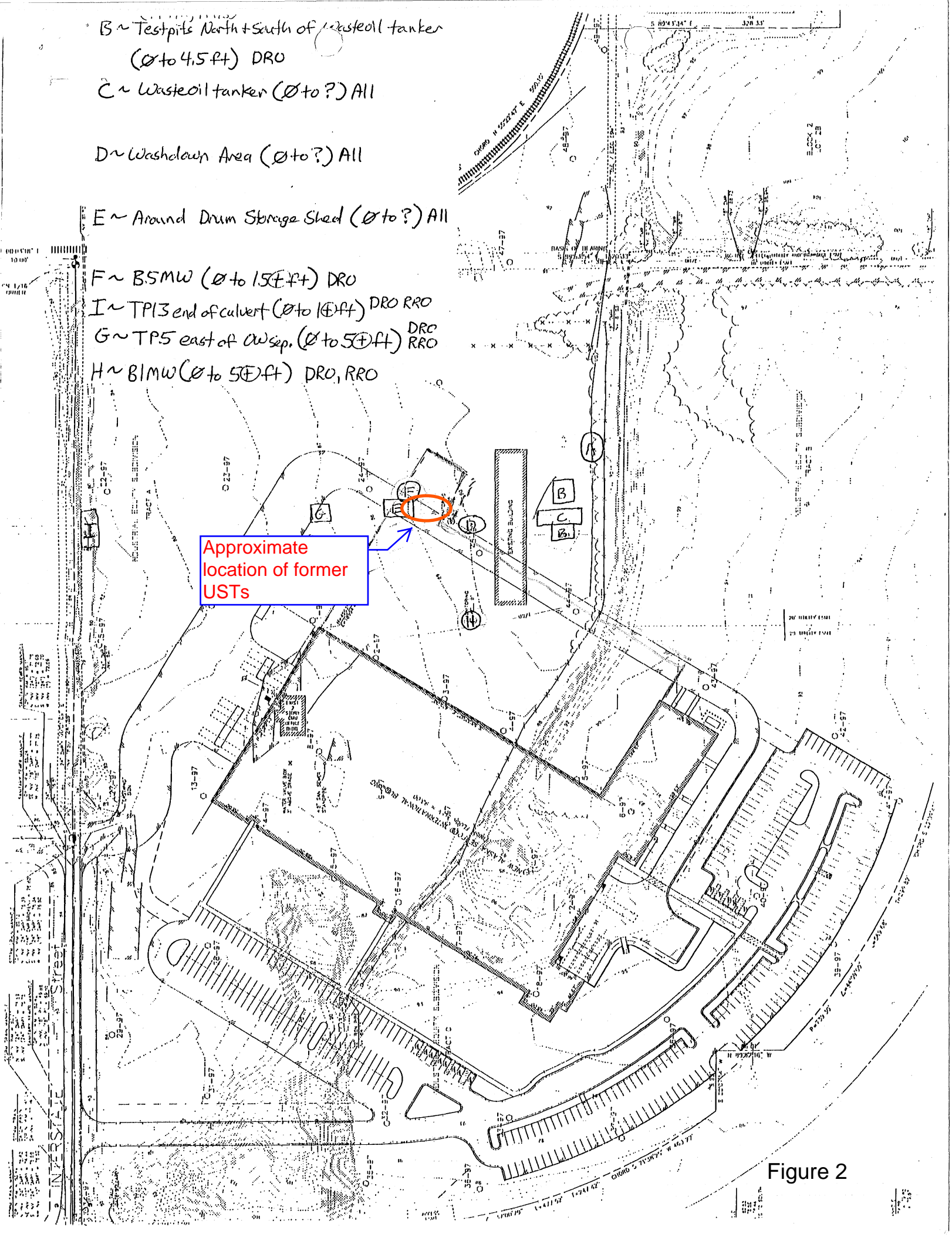


Figure 2