

Department of Environmental Conservation

DIVISION OF SPILL PREVENTION & RESPONSE Contaminated Sites Program

410 Willoughby Ave Suite 303 PO Box 111800 Juneau, Alaska 99811-1800

Main: 907-465-5390 Fax: 907-465-5218

File No: 1513.38.074

November 17, 2014

Father Gordon Blue Holy Trinity Episcopal Church 325 Gold Street Juneau, AK 99801

John Pollard, Senior Warden Holy Trinity Episcopal Church 325 Gold Street Juneau, AK 99801

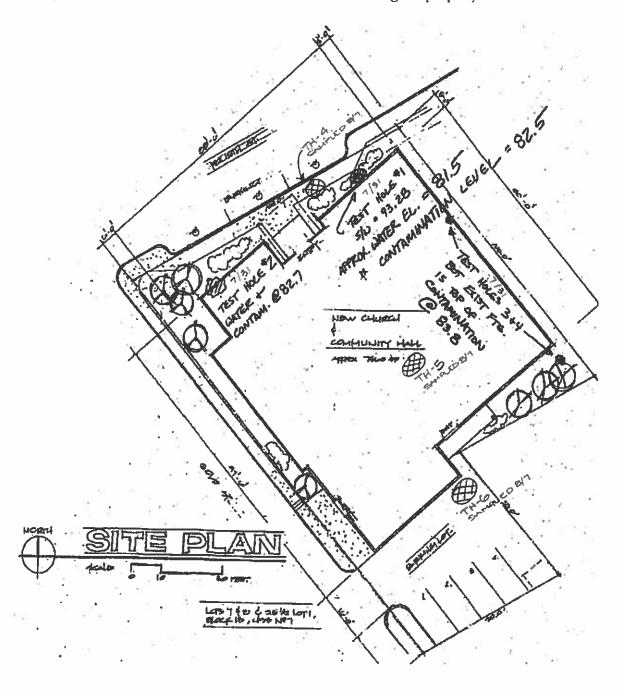
Re: Cleanup Complete Determination June 28, 2012 – Amended Decision Holy Trinity Episcopal Church - Hazard ID: 4455
Site status change - Cleanup Complete – Institutional Controls

This letter is in regards to the environmental cleanup that occurred on the Holy Trinity Episcopal Church property in 2007. The cleanup was initiated to address contaminated soil discovered during the construction effort to rebuild the church in the wake of a fire due to arson. During the site preparation phase for construction of the new building, test pits encountered diesel fuel contamination in soil and groundwater. The contamination is believed to have migrated onto the property from an unknown upgradient source. The church hired an environmental contractor to oversee investigation and a limited cleanup to address contaminated soil onsite. Groundwater was encountered from 3 to 11 feet below ground surface; however, the site and surrounding area are served by the City and Borough of Juneau (CBJ) municipal water system. Contamination remains on the northeast corner of the property. The cleanup included installation of an oil/water separator in the CBJ right-of-way to collect oily water, if any, that may continue to transit the property beneath the new structure.

On June 28, 2012, DEC issued a Cleanup Complete Determination (site closure) for this property. The site closure included an informal agreement with the CBJ to maintain the oil/water separator. Recently, the Alaska Department of Law (DOL) reviewed this determination and requested that DEC amend the decision to formalize the conditions and fully document remaining contamination for the public. Therefore, pursuant to 18 AAC 75, the site status has been changed from an unrestricted Cleanup Complete Determination to a Cleanup Complete with Institutional Controls. The amended

determination includes filing a record of the contamination and a requirement for annual reporting of the maintenance of the oil/water separator on the property deed with the State Recorder's Office. This is only a change in the site/property record and does not require additional remedial work be done on the property. This change enables the DEC to more effectively track the controls at this site and ensures public disclosure of the site conditions. The full site description and background can be found in the 2012 Cleanup Complete Determination document which is enclosed.

(Figure 1 - Test hole locations for exploration on July 31, 2007 and sampling on August 7, 2007. The site investigated has an unknown source of contamination entering the property on the northeast corner.)



Amended ADEC Decision

Contamination likely remains in a limited area of the northeast corner of the site. The cause of the contamination is from an offsite unknown source which has yet to be identified and fully characterized. Until this occurs, it is possible that continued migration of petroleum onto the Holy Trinity Episcopal Church property will occur over time. Spills have been documented in the area, and CBJ utility work along the 4th Street and Harris Street rights-of-way has encountered petroleum contamination, resulting in the limited removal of impacted soil along those corridors.

For the purpose of this site, removal of contaminated soil has been successful to the extent feasible and practicable and is deemed satisfactory. DEC therefore approves the site cleanup as protective, subject to the institutional controls specified in this letter. No further cleanup is necessary at this site unless new information becomes available indicating to DEC that conditions at the site may pose an unacceptable risk to human health, safety, welfare or the environment.

A Notice of Environmental Contamination (NEC or deed notice) shall be recorded in the State Recorder's Office as an institutional control (IC) that identifies the nature and extent of contamination at the property and the conditions that the owners and operators are subject to in accordance with this decision document. These conditions are as follows:

- 1. Pursuant to 18 AAC 75.325(i)(1) and (2), DEC 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. In the future, if soil is removed from the site it must be characterized and managed following regulations applicable at that time. 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.
- 2. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
- 3. Subsurface soil contamination is presumed present at a depth of between 8-12 feet on the northeast corner of the property. Figure 1 shows the location of the area where petroleum contamination was found migrating onto the property.
- 4. The oil-water separator installed onsite requires yearly inspections and cleanings for the removal of accumulated sediments, oils, and other pollutants. The City and Borough of Juneau (CBJ) has agreed to maintain, pump, and clean the oil-water separator every year in the month of June. (This agreement was accepted by both parties in a Settlement and Release Agreement signed by both Holy Trinity and CBJ on September 29, 2009.) DEC will contact CBJ on an annual basis to verify that the maintenance has been performed. Records of this and other maintenance activities performed on the oil-water separator will be held onsite by the Holy Trinity Episcopal Church and be available upon written or verbal request.

This determination is made in accordance with 18 AAC 75.380(d)(2) 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.

The DEC 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, Institutional Controls will be terminated. Conditions 1 and 2 above are applicable to all sites and will remain in effect.

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 99811-1800, 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 99811-1800, 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 the enclosed deed notice document and return it to my attention at the above address by December 5, 2014. Once the NEC has been filed at the Recorder's Office, a certified copy will be provided for your records. If you have questions about this closure amendment decision or the NEC recording, please feel free to contact me at (907) 465-5229.

Sincerely,

Evonne Reese

Project Manager, Institutional Controls Unit

Enclosures: 2012 Cleanup Complete Determination

Notice of Environmental Contamination

cc w/encl: Jennifer Currie, Assistant Attorney General, Department of Law

Ed Foster, Streets Superintendent, CBJ Public Works Department

Sally Schlichting, Environmental Program Manager, Contaminated Sites Program, DEC

Notice of Environmental Contamination

Grantor: State of Alaska

Department of Environmental Conservation

Contaminated Sites Program

Grantee: Holy Trinity Episcopal Church

Legal Description: Juneau Townsite BL 15 LT 7A and Juneau Townsite BL 16 LT 1

Recording District: Juneau

Return to: Evonne Reese

Contaminated Sites Program/Spill Prevention and Response

Alaska Department of Environmental Conservation

P.O. Box 111800

Juneau, AK 99811-1800

State Business- No Charge

NOTICE OF ENVIRONMENTAL CONTAMINATION

As required by the Alaska Department of Environmental Conservation, Grantor, pursuant to 18 AAC 75.375 Holy Trinity Episcopal Church Grantee(s), as the owner of the subject property, hereby provides public notice that the property located at: 325 Gold Street, Juneau, Alaska, 99801, and more particularly described as follows:

Juneau Townsite BL 15 LT 7A and Juneau Townsite BL 16 LT 1

has been subject to a discharge or release and subsequent cleanup of oil or other hazardous substances, regulated under 18 AAC 75, Article 3, revised as of April 8, 2012. 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 4455.

The cause of the contamination is from an unknown offsite source which has yet to be identified and fully characterized. Until this occurs, it is possible that continued migration of petroleum onto the Holy Trinity Episcopal Church property will occur over time. Spills have been documented in the area, and CBJ utility work along the 4th Street and Harris Street rights-of-way has encountered petroleum contamination, resulting in the limited removal of impacted soil along those corridors.

For the purposes of this site, removal of contaminated soil has been successful to the extent feasible and practicable and is deemed satisfactory. DEC therefore approves the site cleanup as protective, subject to the institutional controls specified in this document. No further cleanup is necessary at this site unless new information becomes available indicating to DEC that conditions at the site may pose an unacceptable risk to human health, safety, welfare or the environment.

A Notice of Environmental Contamination (NEC or deed notice) shall be recorded in the State Recorder's Office as an institutional control (IC) that identifies the nature and extent of contamination at the property and the conditions that the owners and operators are subject to in accordance with this decision document. These conditions are as follows:

- 1. Pursuant to 18 AAC 75.325(i)(1) and (2), DEC 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. In the future, if soil is removed from the site it must be characterized and managed following regulations applicable at that time. 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.
- 2. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
- 3. Subsurface soil contamination is presumed present at a depth of between 8-12 feet on the northeast corner of the property. Attachment B shows a diagram and photograph of the

property indicating the location of the area where petroleum contamination was found migrating onto the property.

4. The oil-water separator installed onsite requires yearly inspections and cleanings for the removal of accumulated sediments, oils, and other pollutants. The City and Borough of Juneau has agreed to maintain, pump, and clean the oil-water separator every year in the month of June. (This agreement was accepted by both parties in a Settlement and Release Agreement signed by both Holy Trinity and CBJ on September 29, 2009.) DEC will contact CBJ on an annual basis to verify that the maintenance has been performed. Records of this and other maintenance activities performed on the oil-water separator will be held onsite by the Holy Trinity Episcopal Church and should be available upon written or verbal request.

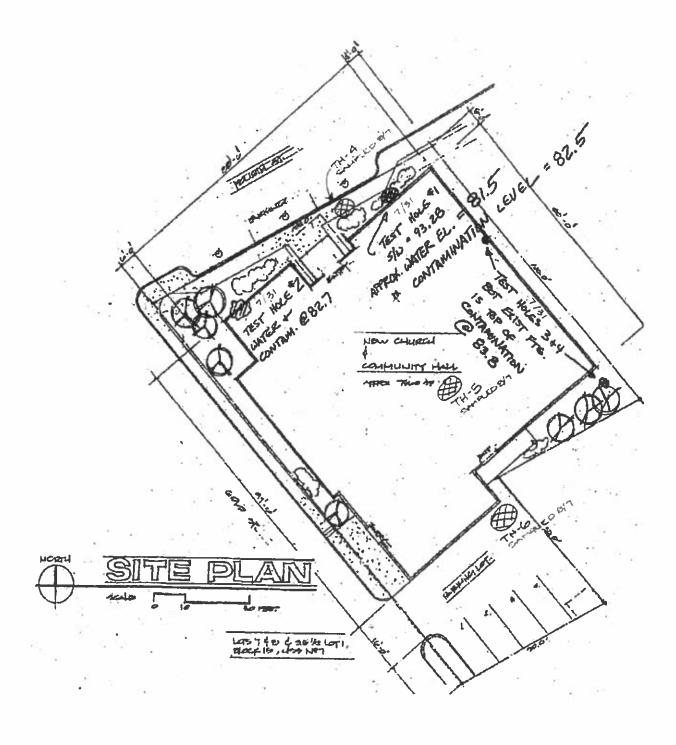
DEC approves the site cleanup as protective, subject to the institutional controls specified in this document. No further cleanup is necessary at this site unless new information becomes available that indicates to ADEC that the site may pose an unacceptable risk to human health, safety, welfare, or 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.

Attached is a site survey or diagram that shows the property boundaries, locations of the test hole locations for exploration on July 31, 2007 and sampling on August 7, 2007.

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

For more information on the contaminated site in this Notice of Environmental Contamination, please see ADEC Contaminated Sites Program file number 1513.38.074 for the site named Holy Trinity Episcopal Church.

Signature of Holy Trinity Representative	Date	
Signature of Authorized ADEC Representative	Date	



Test hole locations for exploration on July 31, 2007 and sampling on August 7, 2007. The site investigated has an unknown source of contamination entering the property on the northeast corner.

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF SPILL PREVENTION AND RESPONSE CONTAMINATED SITES PROGRAM

June 28, 2012

SEAN PARNELL, GOVERNOR

410 Willoughby Ave. Suite 302 Box 111800 Juneau AK 99811 PHONE: (907) 465-5210 FAX: (907) 465-5218 www.dec.state.ak.us

File: 1513.38.074

Mr. George Silides Holy Trinity Episcopal Church 325 Gold Street Juneau, AK 99801

Re:

Holy Trinity Episcopal Church Cleanup Complete Determination

Hazard ID 3723

Dear Mr. Silides:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (DEC) has completed a review of the environmental records associated with the Holy Trinity Episcopal Church at 325 Gold Street. Based on the information provided to date, DEC 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 Holy Trinity Episcopal Church Contaminated Site administrative record, which is located in the offices of the Alaska Department of Environmental Conservation (DEC) 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.

Site Name and Location:

Holy Trinity Episcopal Church 325 Gold Street Juneau, AK 99801

DEC Site Identifiers

DEC reckey 2007110121201 File 1513.38.074 Hazard ID 4455

Address of Contact Party

George Silides 325 Gold Street Juneau, AK 99801

Regulatory Authority for Determination

Chapter 18 AAC 75

Background

On March 12, 2006, a fire destroyed the historical Holy Trinity Episcopal Church in Juneau, Alaska. During the site preparation phase of a new church in 2007, petroleum contaminated soil was discovered entering the site from an unknown source located upgradient of the site, along the northeast property boundary with Fourth Street (Attachment B).

Site Characterization and Cleanup Activities

As part of the initial design work for the new building, four test holes were dug on July 31, 2007. Petroleum contamination was discovered in all four test holes. The DEC was notified and an environmental consultant Carson Dorn Inc. was hired. Three additional test holes were excavated by backhoe on August 7, 2007 for sample collection to characterize the site; these also revealed petroleum contamination. Samples were analyzed for diesel and residual range hydrocarbons (DRO and RRO). Analytical results for RRO were non-detect except one sample with a result of 65.1 mg/kg - well below the 8300 mg/kg cleanup level. DRO results for the four test holes are presented in (Table 1). Results designated with "comp" are composite samples collected across multiple depths. The highest DRO concentration of 267 mg/kg was a composite sample collected from soil ranging in depths from -1 to -12 feet, along the northeast quadrant of the site on Fourth Street. Because it is a composite, it is not possible to determine at what depth contamination exists, nor at what absolute concentration. However, field screening results indicated that contamination was present at depths ranging from -5 to -12 feet. Groundwater with sheen was encountered at -11 feet.

Table 1- DRO Soil sample results from the excavation on August 7, 2007.

Sample Number	Location	Depth	Diesel Range Organic (DRO) mg/kg
TH-4 comp	By Fourth St. Sidewalk, near new entry	-1' to -12'	267
TH-4 gray	By Fourth St. Sidewalk, near new entry	-12'	159
TH-4 brown	By Fourth St. Sidewalk, near new entry	-12.5'	34
TH-5 comp	Middle of site	-1' to -5'	5.66
TH-5	Middle of site	-6'	6.23
TH-6 comp	Upper end of new parking lot	-1 to -6'	116
TH-6	Upper end of new parking lot	-8'	ND

A cleanup plan was submitted to DEC on August 27, 2007 and approved on September 10. Partial work occurred on September 14 with removal of approximately 65 cubic yards. The cleanup effort resumed in November 2007

following approval of a revised work plan that accommodated a revised building footprint deemed necessary to protect the stability of an existing retaining wall.

Based on field screening, the excavated contaminated soil totaled a volume of 306 cubic yards. Of this, 128 cubic yards were loaded into lined containers on site and shipped to Rabanco's Roosevelt Regional Landfill. The remaining 178 cubic yards was trucked to Bicknell Inc.'s asphalt yard for asphalt encapsulation in spring of 2008. The excavation was backfilled with clean soil following confirmatory sampling.

Five confirmation samples and a one duplicate sample were collected from the completed excavation 8-10 feet below ground surface (bgs) at the depth of the new foundation. The samples were field screened and analyzed for DRO and RRO. The results, reported in the Cleanup Action Report submitted to DEC in February 2008 and approved on are shown in (Table 2). No contaminants were detected above DEC's most stringent soil cleanup levels (18 AAC 75.341).

Table 2- DRO and RRO Soil sample results from November 28, 2007

Sample	Location	Depth	DRO mg/kg	RRO mg/kg
number			<u> </u>	
C-1	Gold St sidewalk	8'-10'	ND	ND
C-2	Near Sheet pile wall	8'-10'	ND	ND
C-3	Under slab location	8'-10'	39.5	ND
C-3 Dup	Under slab location	8'-10'	24.8	ND
C-4	Lower end of excavation	8'-10'	ND	ND
C-5	Near OWS	8'-10'	51.3	68.9

Groundwater was encountered from 3' to 11' bgs, but was not sampled. The Juneau city water system serves the site and surrounding area.

Oil-Water Separator

Contaminated groundwater transiting through the site, if any, was controlled by routing the water through an Oil-Water Separator (OWS) built according to the City and Borough of Juneau (CBJ) Standard 305 and installed in an area of no soil contamination at the downgradient edge of the property in a sidewalk, on or about August 31, 2007. The OWS involves a discharge of petroleum- contaminated water, and is subject to state regulations for hazardous waste treatment (18 AAC 70). It requires yearly inspections and clean-outs for the removal of accumulated sediments, oils, and other pollutants. CBJ inspected the OWS in May of 2012 and cleaned it out; but this was the first time this had occurred since installation. CBJ agrees to maintain, pump, and clean the OWS every year in the month of June, starting June, 2012. Records of this and other maintenance activities performed on the OWS will be held on-site by the Holy Trinity Episcopal Church. These records shall be available upon written or verbal request.

Re: Holy Trinity Episcopal Church

Contaminants of Concern

During the initial investigation at this site, soil samples were analyzed for DRO and RRO based on field observations which strongly suggested the product was heating oil. Based on the analytical results, DRO was established as the contaminant of concern for the site.

Cleanup Levels

The soil cleanup levels for this site are established in 18 AAC 75.341, Method Two, Tables B1 and B2 Over 40-inch Zone, Migration to Groundwater.

Contaminant	Migration to	Direct Contact/	Outdoor
	Groundwater	Ingestion	Inhalation
	(mg/kg)	(mg/kg)	(mg/kg)
DRO	230	8,250	12,500

The groundwater cleanup levels for this site are established in 18 AAC 75.345 Table C

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 ways which contaminants may reach and be taken up by 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 3 as Attachment A.

DEC Decision

Contamination likely remains in limited area of the northeast corner of the site, as the source of the contamination is from an unknown, offsite source which has yet to be identified and fully characterized. Until this occurs, it is possible that continued migration of petroleum onto the Holy Trinity Episcopal Church property will occur over time. Spills have documented in the area, and CBJ utility work along the 4th Street and Harris Street rights-of-way has encountered petroleum contamination, resulting in the limited removal of impacted soil along those corridors.

For the purposes of this site, removal of contaminated soil has been successful to the extent feasible and practicable and is deemed satisfactory. DEC therefore

approves the site cleanup as protective of human health, safety, welfare and the. No further cleanup is necessary at this site unless new information becomes available indicating to DEC that conditions at the site may pose an unacceptable risk to human health, safety, welfare or the environment.

The property is subject to conditions in order to ensure contamination left onsite remains undisturbed unless a cleanup effort is initiated with the prior approval from DEC. These conditions are as follows:

- 1. Pursuant to 18 AAC 75.325(i)(1) and (2), DEC 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 it must be characterized and managed following regulations applicable at that time. 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.
- 2. Subsurface soil contamination is presumed present at a depth of between 8-12 feet on the northeast corner of the property. Attachment B shows a diagram and photograph of the property indicating the location of the area where petroleum contamination was found migrating onto the property.
- 3. 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(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.

The DEC 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.

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 or at erik.norberg@alaska.gov.

Approved By

Sally Schlichting

Environmental Program Manager

Recommended By:

Erik Norberg

Environmental Program Specialist

Attachments:

A – Table 3 Exposure Pathway Evaluation B– Site Figure detailing location of contamination

cc: w/encl:

Steve Haavig, Environmental Professional, Carson Dorn, Inc. Jeff Robertson, Architect, J.L. Robertson and Associates Ed Foster, City and Borough of Juneau

Attachment A - Exposure Pathway Evaluation

Table 3 - Exposure Pathway Evaluation

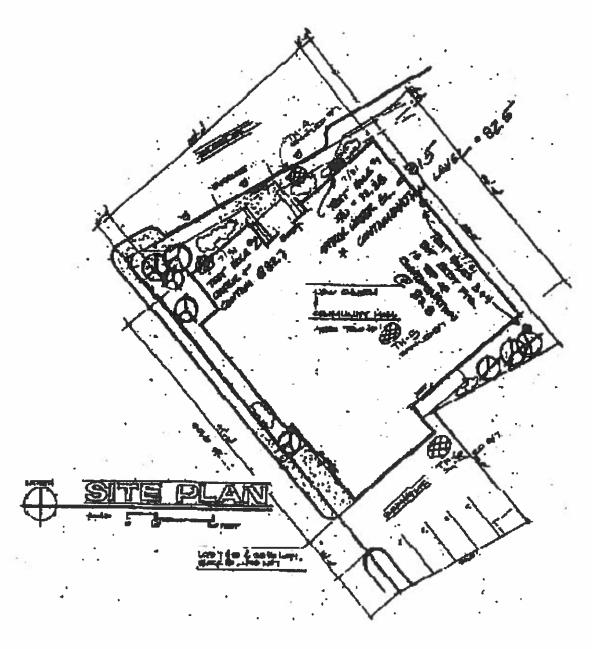
Pathway	Result	Explanation
Surface Soil Contact	Pathway Incomplete	Contamination is confined to the subsurface, appears to be de minimis
Sub-Surface Soil Contact	De minimis Exposure	Sample results meet cleanup levels for all pathways. Contamination likely remains at depths of between 8 and 12 feet in the subsurface, but is in a de minimis quantity in the NE corner of the site. Results following excavation were below DEC cleanup levels.
Inhalation – Outdoor Air	Pathway Incomplete	Contamination is confined to the subsurface, appears to be de minimis
Groundwater Ingestion	Pathway Incomplete	Contamination may remain in excess of migration to groundwater criteria in subsurface soils, but is in a de minimis quantity, and groundwater is not used for drinking anywhere in the vicinity. All soil sample results following cleanup were below DEC cleanup levels.
Wild Foods Ingestion	Pathway Incomplete	Any contaminants remaining at the 8-12 foot depth in the northeast corner are not expected to affect wild or farmed foods.
Indoor Air Inhalation (vapor intrusion)	Pathway Incomplete	The contaminated soil was removed and covered by clean fill; the building footprint does not extend to the northeast corner where contamination may remain at depth. Therefore, this pathway is incomplete.

Re: Holy Trinity Episcopal Church

Exposure to ecological	Pathway Incomplete	Any contaminants remaining
receptors	1	from this unknown upgradient
		source is in the subsurface and
		not available to ecological
		receptors.

Notes to Table 3: "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 DEC'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.

Attachment B: Site Figure



Test hole locations for exploration on July 31, 2007 and sampling August 7, 2007. The site investigated has an unknown source of contamination entering the property on the northeast corner.