



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Environmental
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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File: 1516.38.026

Certified Mail, Return Receipt Requested
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February 28, 2017

Harbor Enterprises, Inc.
DBA Petro Marine Services
ATTN: Kurt R. Lindsey
P.O. Box 389
Seward, Alaska 99664

Re: Institutional Controls (ICs) Verification / Request for 2015 & 2016 Quarterly Monitoring Results
Petro Marine Ketchikan, 1100 Stedman Street, Ketchikan, Alaska 99901

Dear Mr. Lindsey:

The Contaminated Sites Program is conducting an audit of contaminated sites closed with conditions (Institutional Controls) to verify that closure stipulations such as periodic monitoring and reporting are being performed by the responsible party of record as required under state law (18 AAC 75.375).

In June 2014, the Alaska Department of Environmental Conservation (ADEC) granted a Cleanup Complete Determination with Institutional Controls (Decision Document) for the Petro Marine Ketchikan site that included conditions requiring that a qualified third party consultant for Petro Marine Services submits an annual monitoring report on quarterly analytical sample monitoring of seawall tidal discharge for the contaminants of concern, TAH and TAqH, to protect water quality of Tongass Narrows.

In July 2015, the ADEC issued a Verification of Institutional Control Compliance letter to Mr. James B. Beckham of Petro Marine Services, requesting the quarterly monitoring results from the previous year.

Based on our current records, we have not received any reports documenting monitoring results since the Petro Marine Ketchikan site was issued the Cleanup Complete Determination with Institutional Controls in 2014. The 2014 Decision Document outlining the original request and detailing the institutional controls that are in effect for this property is enclosed. The 2015 request for monitoring results is also enclosed.

February 28, 2017

Requested Documentation

In order to ensure that conditions at the site are protective of human health, welfare and the environment, *ADEC requests that you provide the quarterly monitoring results from 2015 & 2016 submitted in an annual report by a qualified third party consultant. If monitoring has not occurred, please make arrangements to have monitoring performed as soon as possible.*

*In addition to the annual monitoring requirement, please be advised that the following Institutional Controls as established in the 2014 Decision Document continue to apply:

1. Any future change in land use may impact the exposure assumptions cited in the Decision Document. If land use and/or ownership changes, these management conditions may not be protective and DEC may require additional remediation and revised conditions. Therefore Petro Marine shall report to DEC every five years to document land use is unchanged, or report as soon as Petro Marine becomes aware of any change in land ownership and/or use, if earlier, with a written description and photographs of the condition of ground surfaces overlying the contamination with notation of any changes since the last report. The report can be sent to the local DEC office or electronically to DEC.ICUnit@alaska.gov. *Please note: your five year review will be due in June 2019.*
2. Any proposal to transport soil or groundwater 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. **This is a standard condition.**
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 is a standard condition.**
4. Groundwater in the state of Alaska is protected for aquaculture use. In the event that an aquaculture facility uses groundwater from this site in the future, additional treatment may be required to meet aquatic life criteria under 18 AAC 70. **This is a standard condition.**

The ADEC is concerned that these site conditions remain protective. Failure to maintain these requirements may result in re-opening of the site by the Contaminated Sites Program, in which case, further remediation could be mandatory.

Please provide the requested documentation either by hard copy letter or email no later than **March 28, 2017**. If you have any questions about these requirements, please do not hesitate to contact me at (907) 465-5229 or evonne.reese@alaska.gov.

Sincerely,



Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Kurt R. Lindsey, Harbor Enterprises, Inc. DBA Petro Marine Services
Petro Marine Ketchikan

February 28, 2017

Encl: 2014 Cleanup Complete Determination with Institutional Controls Decision Document
2015 Verification of Institutional Control Compliance

Note: In the interest of reducing file space, the Division of SPAR/Contaminated Sites Program is transitioning to electronic transmission of project correspondence. Please provide us with your current e-mail address (if you have one) so that we may issue future correspondence to you in an electronic format.

You may submit any needed documentation electronically. If your submittal is too large to email (i.e. exceeds 20 megabytes), you may submit it to me through the Alaska ZenfVo "drop-off" option at <https://drop.state.ak.us/drop/>. The Division of SPAR/Contaminated Sites Program prefers and encourages electronic submittals.