THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Environmental Conservation
DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

610 University Avenue
Fairbanks, AK 99709-3643
Phone: 907-451-2143
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File: 102.26.169

Certified Mail, Return Receipt Requested
Article No.: **7016 2140 0000 1907 3270**

August 21, 2017

Daniel Hermann
Fred Meyer Stores, Inc.
3800 S.E. 22nd Ave
Portland, OR, 97202

Re: Decision Document: Fred Meyer West - Fairbanks
Cleanup Complete Determination – Institutional Controls

Dear Mr. Hermann

The Alaska Department of Environmental Conservation (ADEC), Contaminated Sites Program has completed a review of the environmental records associated with the Fred Meyer grocery store at 3755 Airport Way, Fairbanks, 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 as long as the institutional controls are maintained and effective and no new information becomes available that indicates residual contamination poses an unacceptable risk.

This Cleanup Complete with Institutional Controls (ICs) determination is based on the administrative record for the Fred Meyer West UST which is located in the offices of the ADEC in Fairbanks, Alaska. This decision letter summarizes the site history, cleanup actions, regulatory decisions, and specific conditions required to effectively manage remaining contamination at this site.

Site Name and Location:
Fred Meyer West - Fairbanks
3755 Airport Way
Fairbanks, AK 99709

Name and Mailing Address of Contact Party:
Daniel Hermann
Fred Meyer Stores, Inc.
3800 S.E. 22nd Ave
Portland, OR 97202

DEC Site Identifiers:
File No.: 102.26.169
Hazard ID.: 25532

Regulatory Authority for Determination:
18 AAC 78 and 18 AAC 75

Site Description and Background

Petroleum contaminated soil was encountered in June 2010 during the scheduled decommissioning of a dual-use 10,000-gallon heating oil underground storage tank (UST) located behind the Fred Meyer West location at 3755 Airport Way in Fairbanks, AK. The contamination originated from a damaged return line at the top of the tank. 125-cubic yards (cy) of contaminated soil was removed along with the tank and associated return lines. Approximately 30-cy of contaminated soil on top of the UST concrete ballast pad remains inaccessible due to the proximity to the building foundation. No impacts to groundwater were observed. A building addition has since been constructed on top of the remaining contamination.

Contaminants of Concern

During the site investigation and cleanup activities at this site, samples were collected from soil and groundwater and analyzed for: diesel range organics (DRO); benzene, toluene, ethylbenzene, and xylenes (BTEX); and polycyclic aromatic hydrocarbons (PAHs). Based on these analyses, the following contaminants were detected above the applicable cleanup levels and are considered Contaminants of Concern at this site:

- diesel range organics

Cleanup Levels

Soil cleanup levels applicable to the site are the most stringent levels found in 18 AAC 75.341(c), Table B1, and 18 AAC 75.341(d), Table B2. Groundwater cleanup levels are found in 18 AAC 75.345 Table C. Contaminants detected above their respective cleanup levels in soil or groundwater are considered contaminants of concern at the site and are listed below in Table 1.

Table 1 – Approved Cleanup Levels

Contaminant	Soil[1] (mg/kg)	Groundwater[2] (mg/L)
DRO	250	1.5

Mg/kg= milligrams per kilogram
mg/L = milligrams per liter
[1] – Migration to groundwater pathway, Method 2 Soil Cleanup Level (SCL)
[2] – Groundwater ingestion pathway, Method 2 Groundwater Cleanup Level (GCL)

Characterization and Cleanup Activities

During decommissioning of the 10,000-gallon UST in June 2010, construction personnel discovered contaminated soil in the tank excavation. ADEC was notified and Fred Meyer contracted Nortech Engineering to perform site assessment relating to the release.

During the excavation and tank decommissioning activities a total of 205-cy of contaminated soil was removed and sampled. A total of 125-cy of was determined to be contaminated and was sent for thermal remediation at OIT, Inc. The remaining clean soil was used as fill for a roadbed elsewhere on site after receiving ADEC approval.

Site characterization was conducted under 18 AAC 78.090 in June and July 2010. Field screening with a photoionization detector (PID) was used to determine the extent of the soil contamination as well as check the integrity of the return lines. Four soil borings were also advanced around the perimeter of the excavated area to evaluate the extent of soil contamination. Laboratory analyses were performed on 26 soil samples from the excavation limits, the fuel line trenches, soil stockpiles, and direct push soil borings. DRO was detected up to 14,300-mg/kg in soil that remained on top of the buried ballast pad, however field screening and laboratory analyses indicated that soil contamination did not extend beyond the edges of the ballast pad. The volume of contaminated soil remaining was estimated at less than 30-cubic yards. This soil was not possible to remove without destabilizing the adjacent building foundation.

Temporary well points were advanced in both the upgradient and downgradient edges of the source areas. Groundwater samples collected from the well points did not contain contaminants above cleanup levels. Heating oil return lines were removed where practical or screened every 10-ft, sealed, and abandoned in place. An addition to the Fred Meyer loading dock has since been constructed over the impacted area.

Cumulative Risk Evaluation

Pursuant to 18 AAS 78.600(d) 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 non-carcinogenic risk standard at a hazard index of one across all exposure pathways. The cumulative risk calculation does not include bulk hydrocarbon fractions; GRO, DRO, and RRO, only petroleum constituents.

Based on a review of the environmental record, ADEC has determined that residual contaminant concentrations meet the cumulative risk criteria for human health, however the remaining DRO concentrations exceed the health based cleanup level.

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.

Table 2 – Exposure Pathway Evaluation

Pathway	Result	Explanation
Surface Soil Contact	Pathway Incomplete	Contamination is not present in surface soil (0 to 2 feet below ground surface).
Sub-Surface Soil Contact	Exposure Controlled	Contamination remains above the direct contact cleanup levels in the sub-surface soil located 11-ft below ground surface (bgs) on top of the UST concrete ballast pad. Contaminated soil must be managed in accordance with the institutional controls noted below.
Inhalation – Outdoor Air	Pathway Incomplete	Contaminated soil exceeding the inhalation cleanup level is 11-ft bgs underneath a building addition and is covered by clean fill.

Inhalation – Indoor Air (vapor intrusion)	De Minimis Exposure	The remaining contaminated soil is present approximately 11-ft below the building which is on a thick commercial concrete slab. The Fred Meyer building HVAC system keeps the interior at a constant positive pressure, and several feet of clean soil was backfilled on top of the remaining contaminated soil.
Groundwater Ingestion	Pathway incomplete	Soil contamination remains between the concrete ballast pad and the new addition to the building. Groundwater samples taken up-gradient and down-gradient from the ballast pad were below all ADEC cleanup levels.
Surface Water Ingestion	Pathway Incomplete	Surface water is not used as a drinking water source in this area.
Wild and Farmed Foods Ingestion	Pathway Incomplete	Wild and farmed food are not expected to be used as a food source at this site.
Exposure to Ecological Receptors	Pathway Incomplete	There are no ecological receptors in the vicinity of this site.

Notes to Table 2: "De Minimis Exposure" means that in ADEC's judgment receptors are unlikely to be affected by the minimal volume or concentration of remaining contamination. "Pathway Incomplete" means that in ADEC's judgment contamination has no potential to contact receptors. "Exposure Controlled" means there is an institutional control in place limiting land or groundwater use and there may be a physical barrier in place that prevents contact with residual contamination.

ADEC Decision

Petroleum contamination remains in sub-surface soil above levels suitable for unrestricted future use; however ADEC has approved the use of institutional controls to limit potential future exposure and risk to human health or the environment. A Notice of Environmental Contamination has been recorded in the land records maintained by the Alaska Department of Natural Resources and a copy is attached to this letter.

Groundwater meets the applicable cleanup levels and remaining soil contamination is isolated from reaching the groundwater. Therefore, ADEC has determined the residual soil contamination does not pose an unacceptable migration to groundwater concern.

Institutional controls necessary to support this closure determination include:

1. The Landowner agrees to notify ADEC prior to any sale or transfer of the property and shall report to ADEC every 5 years to document the status of compliance with the institutional controls described in this notice. Such notice and reports should be sent to ADEC at:

Alaska Department of Environmental Conservation
Division of Spill Prevention and Response
Contaminated Sites Program
Attention: IC Unit
410 Willoughby Avenue, Ste. 105
Juneau, AK, 99811-1800

2. A Notice of Environmental Contamination has been filed at the Department of Natural Resources Recorder's Office documenting the conditions at the site and institutional controls necessary to control future exposure to the remaining contamination.

3. When the remaining contaminated soil becomes accessible, it must be removed in accordance with an ADEC approved work plan, and ADEC must be notified prior to any future excavation activities near the former location of the UST.

Standard site closure conditions that apply to all sites include:

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 78.995(134) means an area that is contaminated, including areas contaminated by the migration of hazardous substances from a source area, regardless of property ownership. (See attached site figure.)

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. Groundwater throughout Alaska is protected for use as a water supply for drinking, culinary and food processing, agriculture including irrigation and stock watering, aquaculture, and industrial use. Contaminated site cleanup complete determinations are based on groundwater being considered a potential drinking water source. In the event that groundwater from this site is to be used for other purposes in the future, such as aquaculture, additional testing and treatment may be required to ensure the water is suitable for its intended use.

ADEC has determined the cleanup is complete as long as the institutional controls are properly implemented and no new information becomes available that indicates residual contamination may pose an unacceptable risk. The ADEC Contaminated Sites Database will be updated to reflect the change in site status to "Cleanup Complete with Institutional Controls" and will include a description of the contamination remaining at the site.

The institutional controls will be removed in the future if documentation is provided that shows concentrations of all residual hazardous substances remaining at the site are below the levels that allow for unrestricted exposure to, and use of, the contaminated media and that the site does not pose a potential unacceptable risk to human health, safety or welfare, or to the environment. Standard conditions 1-3 above will remain in effect after ICs are removed.

This determination is in accordance with 18 AAC 78.276(f) and does not preclude ADEC from requiring additional assessment and/or cleanup action if the institutional controls are determined to be ineffective or if new information indicates that contaminants at 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, 555 Cordova Street, Anchorage, Alaska, 99501-2617, 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, P.O. Box 111800, 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.

If you have questions about this closure decision, please feel free to contact me at (907) 451-5174 or email at michael.hooper@alaska.gov.

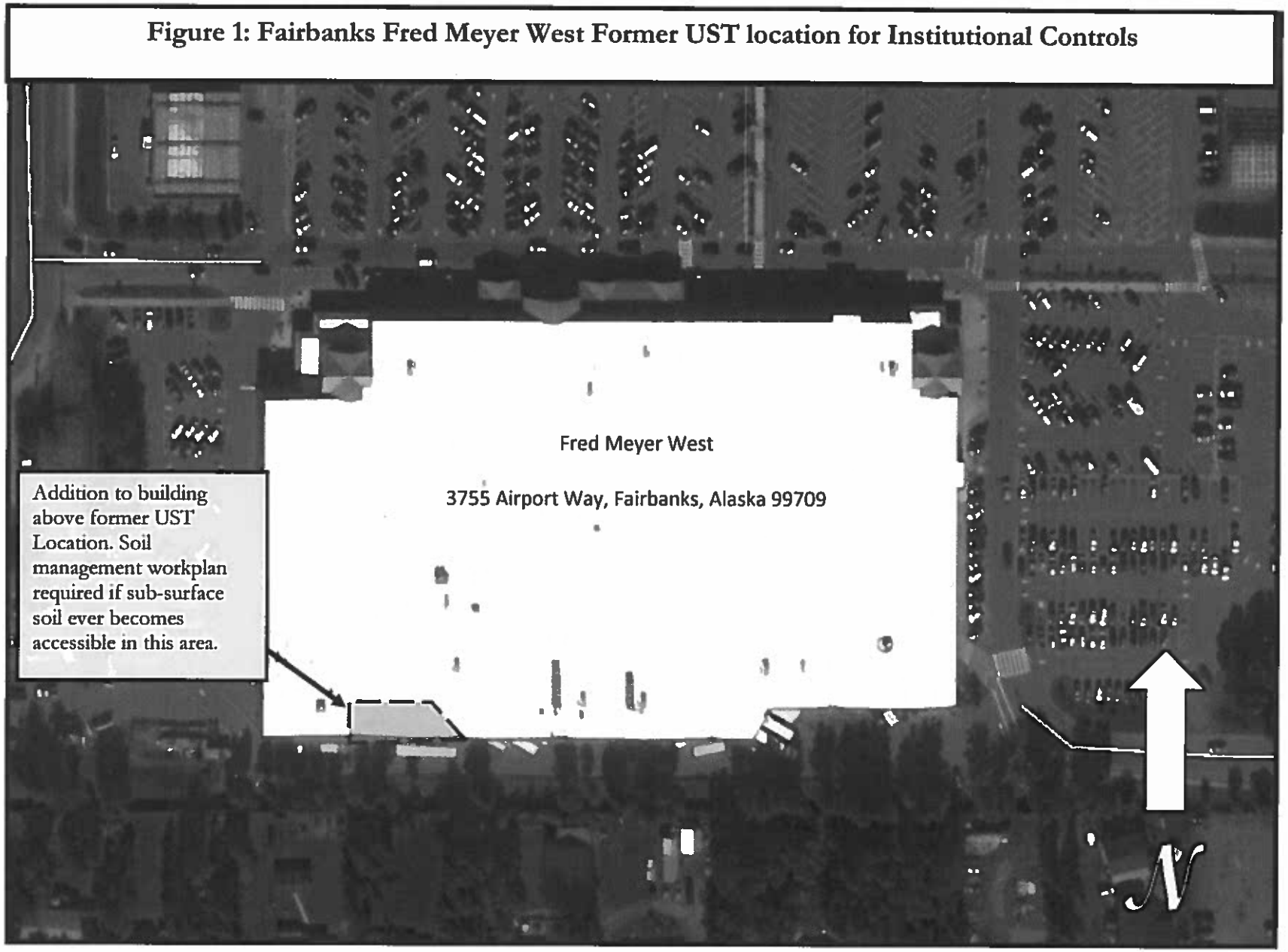
Sincerely,

Michael Hooper
Project Manager

Enclosures: ***1. Site Figure(s) showing extent of residual soil contamination.***
2. Copy of recorded NEC-IC Agreement.

Cc (via email): Spill Prevention and Response, Cost Recovery Unit

Figure 1: Fairbanks Fred Meyer West Former UST location for Institutional Controls



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Recording District 401 Fairbanks
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Notice of Environmental Contamination and Institutional Controls

Grantor: Fred Meyer Stores, Inc.
Fred Meyers West - Fairbanks

Legal Description: Tax Lot 776 / Tract A, Gov't Lot 74, Section 7, Township 1S., Range 1W., Fairbanks Meridian, Alaska.

Recording District: Fairbanks

Return to:
Michael Hooper
Alaska Department of Environmental Conservation
Contaminated Sites Program
610 University Avenue, Fairbanks, AK 99709

State Business- No Charge

NOTICE OF ENVIRONMENTAL CONTAMINATION AND INSTITUTIONAL CONTROLS

As required by the Alaska Department of Environmental Conservation, pursuant to 18 AAC 75.375 Fred Meyer Stores, Inc., the Landowner(s) of the subject property, hereby provides public notice that the property located at: 3755 Airport Way, Fairbanks Alaska, 99709 and more particularly described as follows:

Tax Lot 776 / Tract A, Gov't Lot 74, Section 7, Township 1S., Range 1W., Fairbanks Meridian, Alaska. Fairbanks Recording District, Plat No. 91-55, Tract A.

has been subject to a discharge or release and subsequent cleanup of oil or other hazardous substances, regulated under 18 AAC 78, Article 2. 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 the site name Fred Meyer West - Fairbanks and Hazard ID number 25532.

By signing this notice, ADEC and the Landowner have agreed that the institutional controls described below are necessary and appropriate, and shall be maintained and be binding on the Landowner and its agents, successors and assigns. If the Landowner transfers, sells, assigns, leases or subleases the property or any portion of the property covered by the institutional controls, the Landowner shall incorporate a copy of this notice into the documents of transfer, sale, assignment, lease or sublease.

ADEC has reviewed and approved, subject to the institutional controls described below, the cleanup as protective of human health, safety, welfare, and the environment. No further cleanup is necessary at this site as long as the institutional controls remain in place and effective and no 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 even though residual contaminated exists on-site. Further cleanup was determined to be impracticable because the remaining contaminated soil is in the structural prism of the Fred Meyer building. Remaining soil contamination is approximately 11 feet below ground surface on top of a underground storage tank (UST) ballast pad and under a building addition. (See attached site figure.)

The following institutional controls and standard conditions shall be maintained:

Institutional Controls

1. The Landowner agrees to notify ADEC prior to any sale or transfer of the property and shall report to ADEC every 5 years to document the status of compliance with the institutional controls described in this notice. Such notice and the reports should be sent to the ADEC at:

Alaska Department of Environmental Conservation
Division of Spill Prevention and Response
Contaminated Sites Program
Attention: IC Unit
410 Willoughby Avenue, Ste. 105
Juneau, AK 99811-1800

2. When the remaining contaminated soil becomes accessible, it must be removed in accordance with an ADEC approved work plan and ADEC must be notified prior to any future excavation activities near the former location of the UST. (See attached site figure.)

Standard Conditions

3. 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 78.995(134) means an area that is contaminated, including areas contaminated by the migration of hazardous substances from a source area, regardless of property ownership. (See attached site figure.)
4. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
5. Groundwater throughout Alaska is protected for use as a water supply for drinking, culinary and food processing, agriculture including irrigation and stock watering, aquaculture, and industrial use. Contaminated site cleanup complete determinations are based on groundwater being considered a potential drinking water source. In the event that groundwater from this site is to be used for other purposes in the future, such as aquaculture, additional characterization and treatment may be required to ensure the water is suitable for its intended use.

Attached is a site diagram(s) drawn to scale that shows the locations of existing structures and approximate location and extent of remaining soil contamination.

Failure to comply with the institutional controls described herein may result in ADEC reopening the site and requiring additional site characterization and cleanup.

In the event that new information becomes available which indicates that the site may pose an unacceptable risk to human health, safety, welfare or the environment, further site characterization and cleanup may be necessary under 18 AAC 78 Article 2.

This notice and the institutional controls remain in effect until a written determination from ADEC is recorded that documents contaminants remaining at the site have been shown to meet the residential use soil cleanup levels defined in 18 AAC 75.340 and groundwater cleanup levels in Table C within 18 AAC 75.345 and that off-site transportation of soil and/or groundwater are no longer a potential concern.

For more information on the contaminated site in this notice, please see ADEC Contaminated Sites Program file number 102.26.169 for the site named Fred Meyer West Fairbanks.

Signature of Landowner

July 18, 2017
Date

Don Forrest
Vice President, Fred Meyer Stores, Inc.
Printed Name of Landowner

Signature of Authorized ADEC Representative

7/19/2017
Date

Michael Hooper
Printed Name of Authorized ADEC Representative

Figure 1: Fairbanks Fred Meyers West Former UST location for Institutional Controls