



# Notice of Environmental Contamination

**Grantor:** Alaska Department of Environmental Conservation-Contaminated Sites Program

**Grantees:**

Providence Health & Services  
Attn.: Nicolette Gibbs  
3760 Piper Street, Suite 3036  
Anchorage, Alaska 99508

**Legal Description:** 3401-3561 East Tudor Road, Anchorage, Alaska. Athenian Village  
Subdivision, Tract F2-A and F2-B, Block 5. Anchorage (A-8) NW Quadrangle

**Recording District:** Anchorage

**Return to:** Amy Dieffenbacher  
CS Project Manager  
Division of Spill Prevention and Response  
Department of Environmental Conservation  
410 Willoughby Avenue, Suite 302  
P.O. Box 111800  
Juneau, AK 99811-1800  
907-465-5368

**State Business- No Charge**

## NOTICE OF ENVIRONMENTAL CONTAMINATION

**Recording District: Anchorage**  
Official State Business – No Charge

As required by the Alaska Department of Environmental Conservation (ADEC), Grantor, pursuant to 18 AAC 75.375 b (3), Providence Health & Services, Grantee, as the owner [and operator] of the subject property, hereby provides public notice that the property located at:

3401-3561 East Tudor Road, Anchorage, Alaska and more particularly described as follows:  
Athenian Village Subdivision, Tract F2-A and F2-B, Block 5. Anchorage (A-8) NW Quadrangle

has been subject to a discharge or release, regulated under 18 AAC 75, Article 3, as revised April 8, 2012. This release is documented in the Alaska Department of Environmental Conservation (ADEC) contaminated sites database at [http://www.dec.state.ak.us/spat/esp/db\\_search.htm](http://www.dec.state.ak.us/spat/esp/db_search.htm) under Hazard ID number 23893.

The property was a Toppers gas station, owned by Toppers Oil Corporation, until 1985. An unknown number of underground storage tanks (UST) were removed soon after the gas station's closure. Contents of these UST's is also unknown and post-UST removal investigation of the potential subsurface contamination was not documented. The Federal Deposit Insurance Company (FDIC) took control of the property soon after Toppers closed and was the first owner to retain environmental consultants to conduct site investigations. In fall of 1990, Quest Environmental conducted Phase II Environmental Assessment activities that included soil boring advancement, groundwater monitoring well installations, field-screening of soil and collection of soil samples for laboratory analysis. Dames & Moore were retained by FDIC in 1991 to conduct a Phase II Environmental Property Assessment. Additional groundwater monitoring wells were installed, groundwater and soil samples were collected for laboratory analysis, and soil was field-screened in the footprint of the former Toppers gas station property.

In 1993, the site was owned by Trillium Corporation and Polarconsult Alaska, Inc. was retained to continue site assessment activities. A bio-venting system consisting of air injection wells and soil-gas probes were installed within subsurface soils to promote bioremediation of contaminated soil and groundwater. Until 2006, this bio-venting system was operated along with routine collection of groundwater and soil samples. Also in 2006, 1,016 cubic yards of contaminated soil (including peat and blue clay) were excavated. The granular soil was transported to Alaska Soil Recycling for disposal and the peat-rich soil was landspread at a private, remote property in the Matanuska-Sustina Valley. In July 2014, all remaining subsurface feature on site associated with past remediation and monitoring were decommissioned. The property remains a shopping center and the site is paved with asphalt.

Contaminated soil and groundwater still remain on site, although in the utility easement along Tudor Road. The only exposure hazard is to future utility workers who have direct contact with subsurface soils and the shallow groundwater table.



The property is subject to the following conditions, known as institutional controls per 18 AAC 75.375 a (2), in order to ensure human health is protected, until such time that a cleanup can be completed. Institutional controls on this property are as follows:

1. Any future change in land use may impact the exposure assumptions cited in this document. If land use and/or ownership changes, these management conditions may not be protective and ADEC may require additional remediation and revised conditions. Therefore, the Municipality of Anchorage shall report to ADEC as soon as they become aware of any change in land ownership or use, if earlier. **The report can be sent to the ADEC project manager or electronically to [DEC.ICUnit@alaska.gov](mailto:DEC.ICUnit@alaska.gov).**
2. Soil contamination remains in the shallow peat layer that exists between two and six feet bgs, along the southern property line. Benzene is the only contaminant that exists above site-specific, ADEC-approved soil cleanup levels in this peat layer. In 2006, confirmation soil samples along the southern property boundary, in the utility easement adjacent to Tudor Road confirmed contamination. Future utility workers should be aware of exposure to this subsurface soil.
3. Groundwater contamination remains in the shallow, non-potable aquifer that seasonally fluctuates, at approximately ten feet bgs. GRO and benzene are the only contaminants that remain in groundwater above Table C groundwater cleanup levels. According to 2005 groundwater sample results, contamination remains along the southern property boundary, in the utility easement adjacent to Tudor Road.
4. Any proposal to transport soil or groundwater off-site requires ADEC approval in accordance with 18 AAC 75.325. 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 attached site figure.) **This is a standard condition.**
5. 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.**
6. 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.**


This Notice of Environmental Contamination shall be attached to the property as a deed notice and will remain in effect until site characterization and cleanup efforts have been performed to the satisfaction of ADEC and the department has issued a written determination that soil and groundwater at the site has been shown to meet the most stringent soil cleanup levels in method two of 18 AAC 75.340-345.



For more information on the contaminated site in this Notice of Environmental Contamination, please see ADEC Contaminated Sites Program file number (2100.26.281) for the site named (Tudor Square, former Toppers).



Providence Health & Services agrees to the terms and conditions of the Institutional Controls as stated in this Notice of Environmental Contamination letter concerning the Tudor Square, former Toppers site, filed with Alaska Department of Natural Resources Recorder's Office, dated September 26, 2014

  
\_\_\_\_\_

Signature of Authorized ADEC Representative

11-3-14

Date

  
\_\_\_\_\_

Signature of Providence Health & Services Representative

10/20/14

Date

