

Corrective Action Complete-ICs Agreement and Signature Page

Providence Health & Services agrees to the terms of this Cleanup Complete with Institutional Controls determination as stated in this Decision Document dated September 26, 2014 for the **Tudor Square, former Toppers site**. Failure to comply with the terms of this agreement may result in ADEC reopening this site and requiring further remedial action in accordance with 18 AAC 75.380(d).

  
\_\_\_\_\_  
Signature of Authorized Representative, Title

10/20/14  
Date

**Andrew J. Romerdaht**  
**Regional Director, Real Estate and Construction**  
\_\_\_\_\_  
Printed Name of Authorized Representative, Title

received @ADEC  
Oct 30, 2014  
AD

**Institutional Controls and Conditions**

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.**

**Note to Responsible Person (RP):** After making a copy for your records, please return a signed copy of this form to the ADEC project manager at the address on this correspondence within 30 days of receipt of this letter.