



Notice of Environmental Contamination and Institutional Controls

Grantor: CEM Leasing, Inc.
Petro Star, Inc.
Sourdough Fuel #2518 (Former Plaza Texaco)

Legal Description: , Lot 1A-2 of North Pole Plaza Plat No. 97-88. Within Section 9, Township 2S, Range 2E, Fairbanks Meridian.

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 CEM Properties, Inc. the Landowner of the subject property, hereby provides public notice that the property located at 313 Santa Claus Lane, North Pole, Alaska, 99705, and more particularly described as follows:

Lot 1A-2 of North Pole Plaza, Plat No. 97-88, Fairbanks Recording District. Within Section 9, Township 2S, Range 2E, Fairbanks Meridian.

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 Sourdough Fuel #2518 (Former Plaza Texaco) and Hazard ID number 26156.

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.

Gasoline and diesel contaminated soils were found as part of tank upgrades in 1996. Characterization and cleanup activities in accordance with the 18 AAC 75.325 – .390 site cleanup rules occurred in 1998 and 2016. ADEC has determined that cleanup has been performed to the maximum extent practicable even though residual fuel-contaminated soil exists on-site. Further cleanup was determined to be impracticable because the remaining contaminated soil is beneath the dispenser canopy foundation and underground storage tanks (USTs) and is not impacting groundwater.

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 2 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
P.O. Box 111800
Juneau, AK 99811-1800

or be submitted electronically to CS.Submittals@alaska.gov.

2. No groundwater wells shall be installed on the subject property without prior ADEC approval.
3. ADEC must be notified prior to any excavation around the dispenser canopy or USTs (see attached figure). If excavation or demolition activities make the remaining contaminated soil accessible it must be managed with an ADEC approved soil management workplan.
4. The gas station kiosk building on site is not currently used by site employees, customers, or visitors. If the usage of this building changes or new buildings are to be constructed, please provide prior notice to ADEC so that the potential for vapor intrusion can be evaluated.

Standard Conditions

1. ADEC approval is required prior to moving any soil or groundwater off any site that is, or has been, subject to the site cleanup rules in 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. In the future, if soil will be excavated (or groundwater will be brought to the surface (for example to dewater in support of construction) it must be characterized and managed following regulations applicable at that time and ADEC approval must be obtained before moving the soil or water off the property.
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 characterization and treatment may be required to ensure the water is suitable for its intended use.

Attached is a site diagram drawn to scale that shows the property boundaries, locations of existing structures, and the approximate location and extent of remaining soil which is subject to the institutional controls described in this notice.



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 100.26.214 for the site named Sourdough Fuel #2518 (Former Plaza Texaco).

Phillip M. Tannehill
Signature of Landowner
Sec/Treas. COM Leasing Inc

10/3/17
Date

Phillip M. Tannehill
Printed Name of Landowner

Michael Hooper
Signature of Authorized ADEC Representative

10/4/2017
Date

Michael Hooper
Printed Name of Authorized ADEC Representative



Figure 1. Remaining Soil Contamination and property boundaries for institutional controls at Sourdough Fuel #2518, North Pole, Alaska

Institutional controls on this property require ADEC be notified prior to any excavation in the dispenser canopy or UST area. If excavation or demolition makes the remaining soil contamination accessible it must be managed with an ADEC approved workplan.

