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February 14, 2023

File: 1513.26.080

Alaska Department of Environmental Conservation
Attn: Evonne Reese
410 Willoughby Avenue
P.O. Box 111800
Juneau, AK 99811-1800

Submitted via electronic mail to:
dec.icunit@alaska.gov

Re: Institutional Controls (ICs) Verification for: Juneau 10th Street Tesoro Site

Ms. Reese,

Delta Western, LLC (Delta Western) is providing the following response to each of the institutional controls (ICs) in place for the above-noted site as part of the duty to report to ADEC every five years, or sooner. This is the first IC verification letter for this site. This letter is formatted to include the condition as written followed by Delta Western's response.

- 1. The Landowner agrees to notify ADEC prior to any sale or transfer of the property and shall report to ADEC every five years to document the status of compliance with institutional controls described in this notice.***

There have not been any changes to land use or ownership at the site in the last five years.

If there are any plans to make any changes in the future to the land and/or ownership use, we will be sure to notify ADEC and report these changes.

- 2. In the event that the remaining contaminated soil becomes accessible in the future due to the canopy and fueling island being removed, the land owner shall notify ADEC and characterize and, if determined necessary, cleanup the soil.***

The canopy and fueling island have not been removed in the last five years.

Delta Western acknowledges that if the canopy and fueling island are removed in the future, the land owner will notify ADEC and characterize and, if determined necessary, cleanup the soil.

- 3. No drinking water wells may be drilled on site.***

There have not been any drinking water wells drilled at the site in the last five years, and there are currently no plans to conduct such activities.

- 4. The property shall not be used for residential purposes including use for child day care, educational facilities, playgrounds, hospitals or similar facilities.***

There have not been any changes to the use of the site in the last five years, and there are currently no plans to conduct such activities.

5. ***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. (See attached site figure.)***

Delta Western acknowledges that the movement or use of contaminated material in a manner that results in a violation of 18 AAC 75.325(i) Oil and Other Hazardous Substances Pollution Control quality standards is prohibited. There are currently no plans to conduct such activities.

6. ***Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.***

Delta Western acknowledges that the movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited. There are currently no plans to conduct such activities.

7. ***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.***

Groundwater from this site has not been used for any new purposes in the last five years, and there are no plans to change the use of groundwater.

If you have any questions or require further information, please don't hesitate to contact me directly by phone at 907-265-3837 or e-mail at environmental@deltawestern.com.

Sincerely,

Amanda Dotten

Amanda Dotten
Environmental Compliance Specialist

Cc: environmental@deltawestern.com