



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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File: 100.26.175

March 1, 2023

David Lanning
P.O. Box 470
Ester, AK 99725

Morgan Evans
125 Kenneth St.
Fairbanks, AK 99712

Re: Institutional Controls (ICs) Verification for **Cripple Creek Tire and Automotive**

Dear Mr. Lanning and Ms. Evans,

The Contaminated Sites Program conducts periodic verification of closed sites where institutional controls (land use restrictions) are required under 18 AAC 75.375. We have identified Cripple Creek Tire and Automotive as a site with institutional controls.

As the current owner of the property, you should be aware that there are ongoing obligations for this site.

In order to prevent people from being exposed to any remaining contamination on the property, this letter is being sent as a reminder of the conditions placed on the property as part of the 2014 Corrective Action Complete Determination – Institutional Controls Decision Document granted by the Alaska Department of Environmental Conservation (ADEC). At the time of closure, soil and groundwater contamination was documented as remaining on the property. The contamination is from remaining contaminated soil that was found during the removal of three gasoline underground storage tanks in 1998.

A Notice of Environmental Contamination (NEC or deed notice) has been officially recorded in the Alaska Department of Natural Resources Recorder's Office. The deed notice identifies the nature and extent of the contamination on the property and the conditions that the owners are subject to in accordance with the institutional controls required for this site. A copy of the recorded NEC is enclosed for your reference.

As established in the 2014 Decision Document and 2014 Notice of Environmental Contamination, the Cripple Creek Tire and Automotive site is subject to the following site-specific and standard conditions and/or controls:

1. Any future change in land use may impact exposure assumptions cited in the Decision Document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. **Therefore, the current and any future owners shall report to ADEC every *three years* to document land use, or report as soon as they become aware of any change in land ownership and/or use, if earlier.** The report can be sent to the local ADEC office or electronically to jennifer.mcgrath@alaska.gov.
2. Sub-surface soil contamination is located southeast of the shop building. When soil contamination is excavated or otherwise becomes accessible, the soil must be evaluated, and contamination addressed in accordance with an ADEC approved work plan.
3. The building currently on the property is used for light industrial activities (i.e., automotive repair). If the use of the building changes, or if other buildings are constructed within 30 feet of the contaminated area, ADEC must be notified and may require a vapor intrusion evaluation to determine if building occupants could be affected by vapors.
4. Installation of groundwater wells requires ADEC approval.
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. *This is a standard condition.*
6. 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.*
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 characterization and treatment may be required to ensure the water is suitable for its intended use. *This is a standard condition.*

Failure to maintain these requirements may result in re-opening the site by the Contaminated Sites Program, in which case, further remediation could be mandatory.

In accordance with 18 AAC 75.380(d)(2), ADEC may require additional site assessment, monitoring, remediation, and/or necessary actions at this facility should new information become available that indicates contamination at this site may pose a threat to human health or the environment.

You may submit any needed documentation electronically. If your submittal is too large to email (i.e. exceeds 20 megabytes), you may submit it to me through the Alaska ZendTo “drop-off” option at <https://drop.state.ak.us/drop/>. The Division of SPAR/Contaminated Sites Program prefers and encourages electronic submittals.

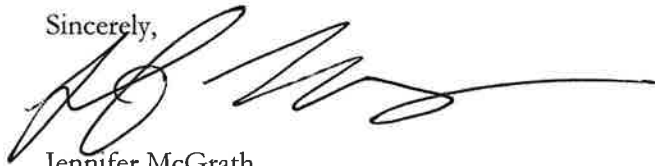
March 1, 2023

If you seek to have the institutional controls removed from this site, you can choose at any time to voluntarily conduct additional assessment, monitoring, or further cleanup to demonstrate that contamination at the site now meets the applicable cleanup levels under 18 AAC 75.

This site information is a matter of public record and is available at ADEC's online database record at: <http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/24792>

The ADEC will issue a reminder letter such as this on a scheduled basis, every three years. If you have any questions regarding this site, please contact Evonne Reese at (907) 465-5229 or evonne.reese@alaska.gov and she will be glad to assist you.

Sincerely,



Jennifer McGrath
Environmental Program Technician
Institutional Control Unit

Encl: 2014 Corrective Action Complete Determination – Institutional Controls
2014 Recorded Notice of Environmental Contamination

Note: This letter is being transmitted to you in electronic format only. If you require a paper copy, let us know and we will be happy to provide one to you. In the interest of reducing file space, the Division of SPAR/Contaminated Sites Program is transitioning to electronic transmission of project correspondence.

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