

STATE OF ALASKA

**DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF SPILL PREVENTION AND RESPONSE
CONTAMINATED SITES PROGRAM**

SARAH PALIN, GOVERNOR

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File: 102.26.028

November 30, 2007

Hellen Hanauer Living Trust
c/o Kenneth L. Dulaney
1105 Blandford Blvd.
Redwood City, CA 94062

Re: Amended Decision Document
Former Box Boy Store Facility
South Cushman Street, Fairbanks, Alaska

Dear Mr. Dulaney:

The Alaska Department of Environmental Conservation (ADEC), Contaminated Sites Program, received a request from Shannon & Wilson (dated November 29, 2007) regarding the requirement to continue groundwater monitoring at the former Box Boy facility located on South Cushman Street in Fairbanks, Alaska. Based on our review of the information presented in the Shannon & Wilson letter and on the past information regarding the cleanup and monitoring activities, ADEC concurs that further groundwater monitoring is not required at this site.

The rationale for this amended decision is that cleanup actions and monitor data have shown that the soil and groundwater contamination remaining on site is stable and/or decreasing in concentration. Therefore, the condition to monitor groundwater is no longer required and the December 2004 decision document is amended to delete that condition. All other terms and conditions of that decision document remain the same.

ADEC Decision (amended November 2007)

ADEC has determined that the cleanup actions at the South Cushman Boxboy were effective in treating the majority of impacted soil and groundwater. There is soil and groundwater contamination remaining above established cleanup levels at the site but it does not pose a risk to human health or the environment provided site specific conditions and/or controls are attached to the property.

Based on the information provided to date, ADEC will require no further remedial action subject to the following conditions:

1. In accordance with 18 AAC 78.274(b), ADEC approval must be obtained prior to removal and/or disposal of soil from this site to an off-site location. In addition, the ADEC should be

- notified prior to any excavation in the impacted area in order to properly screen and manage any contaminated soil that may be excavated.
2. The ADEC shall be notified prior to installation of groundwater wells and/or any proposed dewatering activities.
 3. A deed notice has been filed at the Fairbanks Recording District regarding the location of residual soil and groundwater contamination remaining at the site to notify future owners and/or operators of the conditions applicable to the property. The residual contamination will also be noted in the ADEC Database.
 4. In accordance with 18 AAC 78.276, additional investigation and cleanup may be required if new information is discovered which leads ADEC to make a determination that the cleanup described in this decision is not protective of human health, safety, and welfare or the environment.
 5. Contaminant levels must reach established cleanup levels before ADEC will consider Site Closure action and removal of institutional controls.

Any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195- 18 AAC 15.340. Informal review requests must be delivered to the Division Director, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 15 days of the decision. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 30 days of the decision. If a hearing is not requested within 30 days, the right to appeal is waived.

Please contact me with any questions or concerns directly at (907) 451-5175 or e-mail me at jim.frechione@alaska.gov.

Sincerely,



Jim Frechione
Program Manager
State & Private Sites Program

cc: David McDowell, Shannon & Wilson, Inc., Fairbanks