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Recording District 111 Skagway
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Notice of Environmental Contamination

Grantor: State of Alaska
Department of Environmental Conservation
Contaminated Sites Program

Grantee: Mary Lou Moe c/o Baxter, Bruce, Brand & Douglas
9309 Glacier Highway, A-201
Juneau, AK 99801

Legal Description: Lots 11 and 12, Block 119, Townsite of Skagway, Survey No. 435, situated in the City of Skagway.

Recording District: Skagway

Return to: Danielle Duncan
CS Project Manager
Division of Spill Prevention and Response
Department of Environmental Conservation
410 Willoughby Ave., Ste. 302
P.O. Box 111800
Juneau, AK 99811-1800
907-465-5207

State Business- No Charge

NOTICE OF ENVIRONMENTAL CONTAMINATION

Recording District: Skagway
Official State Business – No Charge

As required by the Alaska Department of Environmental Conservation (ADEC), Grantor, pursuant to 18 AAC 75.375 b (3), Mary Lou Moe, Grantee, as the owner of the subject property, hereby provide public notice that the property located at:

Lots 11 and 12 of Block 119 in Skagway, AK

has been subject to a discharge or release, regulated under 18 AAC 75, Article 3, as revised April 8, 2012. This release is 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 Hazard ID number 2983.

In November of 1998, during excavation for a new foundation, free-phase hydrocarbons were discovered at the water table (7 ft. below ground surface) on the property. Approximately 100 gallons of free-phase hydrocarbon was recovered at that time. Since then, multiple environmental studies have been conducted on the property and both free-phase hydrocarbon and contaminated soil have been discovered. Due to groundwater contamination, monitoring wells were installed and sampled on various occasions both on the Moe property and neighboring lots. Some of these wells had concentrations of hydrocarbons exceeding groundwater cleanup levels established in 18 AAC 75.345, Table C. The most recent monitoring well data (2011) indicates that groundwater contamination is still present at values exceeding groundwater cleanup levels. During the 2011 monitoring well sampling event, free-phase hydrocarbon was present at a thickness of 0.18 inches and diesel range organics (DRO) was present exceeding cleanup levels.

Due to the lack of current monitoring well and soil data, ADEC is unable to characterize the current exposure risks, establish a trend, or make a closure determination for this site. Exposure risks to human health and the environment are presumed present based on existing data.

The property is subject to the following conditions in order to ensure human health is protected until such time that a cleanup can be completed. These conditions, known as institutional controls per 18 AAC 75.375 a (2), consist of the following:

1. Notice Required for any Change in Land Ownership or Land Use
If land ownership or zoning of the property changes, the owner or operator of the property is required to notify the DEC as soon as these changes occur.
2. Excavation Restriction
No excavation shall occur on the property without DEC approval; characterization under a DEC-approved work plan will have to be completed before excavation activities begin.



3. No Offsite Transport of Contaminated Material

Any proposal to transport soil or groundwater off-site requires DEC approval in accordance with 18 AAC 7.325(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.

4. Contamination of Surface Water Prohibited


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

5. Groundwater Use Restriction

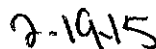
Installation of new groundwater wells requires ADEC approval. Groundwater on site is contaminated with petroleum product and cannot be used for drinking water until monitoring well data indicates that it is safe for human consumption.

This Notice of Environmental Contamination shall be attached to the property as a deed notice and will remain in effect until site characterization and cleanup efforts have been performed to the satisfaction of ADEC and the department has issued a written determination that soil and groundwater at the site has been shown to meet the most stringent soil and groundwater cleanup standards in method two of 18 AAC 75.340-345.

For more information on the contaminated site in this Notice of Environmental Contamination, please see ADEC Contaminated Sites Program file number (1526.38.007) for the site named (Skagway State Street Mystery).



Signature of Authorized ADEC Representative



Date

