

**ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
DIVISION OF SPILL PREVENTION AND RESPONSE
CONTAMINATED SITES PROGRAM**

**RECORD of DECISION
Mile 321 Parks Highway Tanker Truck Fuel Spill
December 4, 2006**

Introduction

Site Name: Mile 321 Parks Highway
Responsible Party: Progressive Transport, Inc. & MAPCO Alaska Petroleum, Inc.
Location: Mile 321 Parks Highway
Database Record Key: 1992310122401
Regulatory Authority: 18 AAC 75; 18 AAC 70

Background

In 1991, a tanker truck operated by Progressive Trucking, Inc. had an accident at Mile 321 Parks Highway and released 10,000 gallons of fuel product. The product flowed downhill from the crash site along a drainage ditch running under the highway and onto land owned by the Toghotthele Corporation. There were no immediate cleanup actions employed based on concerns for the integrity of the foundation of the Parks Highway until a proposed in situ remediation technique was approved by ADEC in 1994.

In 1994, a site assessment was completed and followed by hydro-seeding of the area in 1995. The responsible party, Progressive Trucking Inc., and the potentially responsible/liable party, MAPCO, indicated monitored natural attenuation would address the remaining contamination. The last report in 1997 identified diesel range organics (DRO) ranging from 340 to 11,000 milligrams per kilogram (mg/kg) in the surface soils (0 to 2 feet below ground surface). Furthermore, it was noted that the area was re-vegetated from the hydro-seeding event.

Pathways Evaluated

Pathways evaluated at the site include the human health exposure pathways of ingestion (soil and water) and inhalation and the migration to groundwater pathway.

Even though the DRO concentrations detected exceed the human health based levels for ingestion, the spill site is uninhabited and there are no human receptors. The contaminated soil is also below the surface vegetation and inaccessible provided the soil cover is not disturbed.

The migration to groundwater pathway was not evaluated and depth to groundwater is not known.

Cleanup Levels

The soil cleanup levels established for this site are: 18 AAC 75.341 Tables B1 and B2, "under 40 inch zone" migration to groundwater levels.

The groundwater cleanup levels are: 18 AAC 75.345 Table C.

ADEC Decision

Based on the information provided to date, ADEC has determined that the cleanup actions employed at Mile 321 Parks Highway spill were effective in reducing the risk posed by DRO contamination at the site. The site remains uninhabited with no human receptors. In addition, the length of time (15 years) since the release has allowed natural attenuation to further reduce the contaminant concentrations. ADEC has determined that this site does not pose an unacceptable risk to human health or the environment at this time, subject to the following conditions:

1. A Notice of Environmental Contamination will be recorded in the ADEC Database identifying the residual contamination remaining on site. The notice shall include the requirement of ADEC review and approval of any proposed excavation in the former spill location.
2. In accordance with 18 AAC 75.370(b), ADEC approval must be obtained prior to removal and/or disposal of soil or groundwater from this site to an off-site location.

In accordance with 18 AAC 75.380(d)(2) ADEC may require additional site assessment, monitoring, remediation, and/or other 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.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Division Director, PO Box 111800, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99811-1800, within 15 days of the decision.

Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, PO Box 111800, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99811-1800, within 30 days of the decision. If a hearing is not requested within 30 days, the right to appeal is waived.

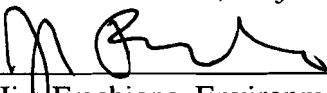
ADEC Approval:



 Shannon Oelkers, Project Manager

12/5/06

 Date



 Jim Frechione, Environmental Program Manager

12-5-06

 Date