

## Notice of Environmental Groundwater Contamination

Pursuant to 18 AAC 78.280(d), J.H.M. Investments (Jim Johnson General Partner), as the owner of the subject property, hereby provides public notice that the property located at 4748 Old Seward Highway and more particularly described as: Lot 14, Block B, Rosebud Subdivision in Anchorage, Alaska has been subject to the release(s) of hazardous substances.

This site has been subject to a discharge or release and subsequent cleanup of oil and other hazardous substances, regulated under AAC 75, Article 3 and 18 AAC 78, Article 6, as amended January 30, 2003. This release and site cleanup is documented in the Alaska Department of Environmental Conservation (ADEC) underground storage tank database under facility identification number 2470, event identification number 404, spill number 1994210022003.

Subject to this institutional control, ADEC reviewed and approved the cleanup actions as being protective of human health, safety, welfare and the environment. While soil and shallow groundwater contamination exceeding established cleanup levels is present at the site, the Department does not require additional cleanup action because the contamination does not pose a risk to human health, public safety, welfare, or the environment. The soil and shallow groundwater is contaminated primarily by benzene, gasoline range organics (GRO) and diesel range organics (DRO).

No further cleanup is necessary at this site unless ADEC determines that hazardous substance contamination may pose an unacceptable risk to human health, safety, welfare or the environment.

Attached are three figures that show a portion of the southeastern Johnson Nissan property boundary and locations of existing structures such as monitoring wells (Figures 4, 5 and 6). The figures show GRO, benzene and DRO historical concentrations and the applicable groundwater cleanup level for these constituents. In July 2003 and January 2004, GRO, benzene and DRO contaminant concentrations exceeded applicable groundwater cleanup levels on the Johnson Nissan property (e.g., at MW-2) as well as in January 2004 for benzene on property immediately down gradient of the Johnson Nissan property (i.e., at MW-8 and 12). Therefore, the estimated location and extent of remaining groundwater contamination is between at least MWs 1 and 12 on a north to south basis and between MWs 2 and 5 on a west to east basis. There is no current soil data but soil contamination exceeding established cleanup levels for GRO, DRO and BTEX constituents may remain in the area of the former UST excavation area., i.e., near MW-1

In the event that information becomes available which indicates that the site may pose an unacceptable risk to human health, safety, welfare or the environment, the land owner and/or operator is required under 18 AAC 75.300 to notify ADEC and evaluate the environmental status of the contamination in accordance with applicable laws and regulations. Further site characterization and cleanup may be necessary under 18 AAC 75.325-.390 and 18 AAC 78.600. Also, any transport, treatment, or disposal of any potentially contaminated soil or water from the site or use of the shallow groundwater at or near the contaminated area requires notification to and approval from the Department in accordance with 18 AAC 78.600(h).



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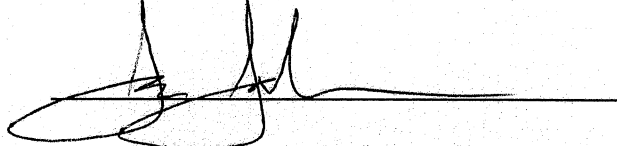
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This notice remains in effect until a written determination from ADEC is recorded that states that the soil and shallow groundwater at the site has been shown to meet the cleanup levels in Method 2 in 18 AAC 75.341 Table B1 and B2, and Table C in 18 AAC 75.345, respectively, and that use of the shallow groundwater is not a concern.

Please return original copy of this notice to the address below:

Signature:

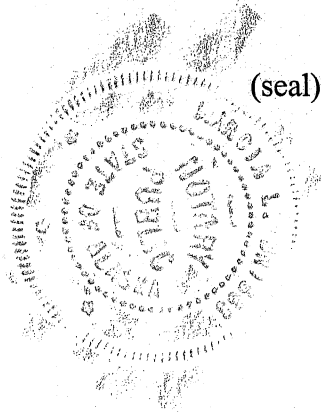


Printed Name:

Jim Johnson for J.H.M. Investments

Mailing Address:

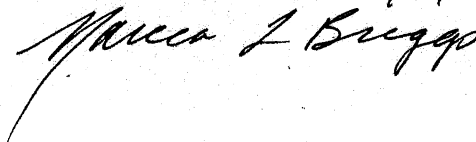
4551 Fairbanks St., Suite A  
Anchorage, AK 99503



(seal)

Subscribed and sworn to before me this 15 day of  
June, 2004.

Notary Public in and for the State of Alaska  
My commission expires: 7/19/04



Note: Please refer to 11 AAC 05.010 (a)(14) for the required fee. The information requested on this form should be typed or legibly printed in English. Any attachments or exhibits must not exceed 8.5" x 14". This form is intended to comply with the recording requirements of AS 40.17.030 and 11 AAC 06.040.

Attachment: Location Figures 4, 5 and 6 – Area of Remaining GRO, Benzene and DRO Contamination in the Shallow Groundwater



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