

**DIVISION OF SPILL PREVENTION AND RESPONSE  
CONTAMINATED SITES PROGRAM**

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File: 1249

November 21, 2003

Peter Ribbens  
Tesoro Alaska Company  
P.O. Box 3369  
Kenai, Alaska 99611

Re: Tesoro Northstore #206 - Kenai, ADEC Spill #1997-23-00-035-01  
ADEC UST Facility I.D. #523  
No Further Remedial Action Planned

Dear Mr. Ribbens:

On November 20, 2002, the Kenai Area Office of the Alaska Department of Environmental Conservation (ADEC) received the November 5, 2002, Abandonment of Monitoring Wells & Remediation System letter-report for the above referenced facility. The report was prepared by Montgomery Watson Harza on behalf of Tesoro Alaska Company.

Based on the information provided in this report and all prior reports and information provided to the ADEC for this facility, no further remedial action is required in association with the petroleum release reported at this facility (release identified by Spill #1997-23-00-035-01), at this time. This decision is subject to any future ADEC determination that the cleanup is not protective of human health, safety, or welfare, or of the environment.

A minor quantity of soil remains in the immediate vicinity of the existing underground storage tank (UST) systems at this facility with fuel concentrations that exceed the ADEC Method 2 soil cleanup levels in 18 AAC 75. Tesoro has demonstrated that this soil contamination is not impacting groundwater quality, and since access to this contaminated soil is prevented by the presence of the existing UST systems, ADEC agrees that Tesoro's response to this remaining soil contamination may be deferred until these UST systems have been removed or decommissioned. At the time of UST system removal or decommissioning, Tesoro will be required to assess the extent and concentration of the remaining petroleum contamination, and respond to any fuel contamination in accordance with existing and applicable laws at that time.

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, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 15 days after

receiving the department's decision reviewable under this section. 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 after the date of issuance of this letter, or within 30 days after the department issues a final decision under 18 AAC 15.185. If a hearing is not requested within 30 days, the right to appeal is waived.

For future reference, all records for this facility have been routed for filing in the Kenai Area Office under the file name, "Tesoro Northstore #206 – Kenai, ADEC Spill #1997-23-00-035-01, ADEC UST Facility ID #523".

Thank you for your cooperation in complying with the ADEC's UST release investigation and corrective action regulations. If there are any questions regarding this determination, please feel free to call me at (907) 262-5210, extension #250.

Sincerely,

Paul Horwath, P.E.  
Environmental Engineer

Pdh.Tesoro Northstore #206 NFRAP\_11-21-03

C: Bob Gilfilian, Montgomery Watson Harza, Anchorage