STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF SPILL PREVENTION AND RESPONSE
CONTAMINATED SITES PROGRAM

555 Cordova Street
Anchorage, AK 99501
PHONE: (907) 269-7526
FAX: (907) 269-7649
www.dec.state.ak.us

File: 2100.26.027
Return Receipt Requested
Article No: 7007 3020 0000 1948 3914

August 20, 2009

Bruce Anthony
Environmental Director
Holiday Alaska, Inc.
4567 American Boulevard West
Minneapolis, Minnesota 55437

Re: Record of Decision (ROD); Holiday Service Station #614,
formerly WES #5014/Williams Express Store #5014 Overfill
Bucket Spill Corrective Action Complete Determination-Institutional Controls

Dear Mr. Anthony:

The Alaska Department of Environmental Conservation (ADEC), Contaminated Sites Program recently issued a Record of Decision (ROD) after it had been determined there is no unacceptable risk to human health or the environment. As stated in the ROD dated June 25, 2009, this site was to be granted a Corrective Action Complete- ICs determination subject to the following conditions.

1. Any future change in land use may impact the exposure assumptions cited in this document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. Therefore the Holiday Alaska, Inc. shall report to ADEC every five years to document land use, or report as soon as Holiday Alaska, Inc. becomes aware of any change in land ownership and/or use, if earlier. **The report can be sent to the local ADEC office or electronically to DEC.ICUnit@alaska.gov.**

2. Installation of groundwater wells will require approval from ADEC in accordance with 18 AAC 75.350(2).

3. Monitoring wells (MWs) must be decommissioned in accordance with ADEC guidance.

4. Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 78.600(h). A "site" [as defined by 18 AAC 75.990 (115)] means an area that is contaminated, including areas contaminated by the migration of

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hazardous substances from a source area, regardless of property ownership. (See attached site figure and Notice of Environmental Contamination)

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

This determination is also subject to the following condition.

1. A Notice of Environmental Contamination must be recorded and will be attached to the ADEC database to document that there is residual contamination remaining onsite above most stringent ADEC cleanup levels.

Please sign and return *Attachment A* to ADEC <u>within 30 days of receipt of this letter</u>. If you have questions about this closure decision, please contact the ADEC project manager, Keather McLoone at (907) 269-7526.

Sincerely,

Keather McLoone

Keather McLoone
Environmental Specialist

Attachment A: Corrective Action Complete-ICs Agreement Signature Page
Attachment B: Notice of Environmental Contamination and Site Figure.

Cc: Jessica Busey, Shannon & Wilson

*Attachment A: Corrective Action Complete-ICs Agreement and Signature Page**

Holiday Alaska, Inc. agrees to the terms of the Corrective Action Complete with ICs determination as stated in the Record of Decision (ROD) document dated June 25, 2009 and this letter dated August 20, 2009 for the Holiday Service Station #614, formerly WES #5014/Williams Express Store #5014 Overfill Bucket Spill site, Hazard ID: 23822 and 23022. Failure to comply with the terms of this agreement may result in ADEC reopening this site and requiring further remedial action in accordance with 18 AAC 18 AAC 78.276(f).

_____

Signature of Authorized Representative, Title
Holiday Alaska, Inc.

_____

Printed Name of Authorized Representative, Title
Holiday Alaska, Inc.

Note to Responsible Person (RP):
After making a copy for your records, please return a signed copy of this form to the ADEC project manager, Keather McLoone at the address on this correspondence within 30 days of receipt of this letter.

***Attention ADEC Administration Staff:** Please do not file this form until the ADEC project manager has updated the database. **2100.26.027**

Attachment B: Notice of Environmental Contamination and Site Figure

Notice of Environmental Contamination

Pursuant to 18 AAC 78.280(d), Holiday Alaska, Inc., as responsible party of the subject property, hereby provides public notice that the property located at 1900 Muldoon Road, Anchorage, Alaska has been subject to the release(s) of hazardous substances. The legal description is Lot 12, Block 3, Chester Valley #5 Subdivision.

This site has been subject to a discharge or release and subsequent cleanup of oil and other hazardous substances, regulated under 18 AAC 75, Article 3, as amended through October 2008; and 18 AAC 78, Article 6, as amended January 30, 2003. The soil at the subject property is primarily contaminated with petroleum hydrocarbons, including benzene and gasoline range organics (GRO), at concentrations greater than the applicable ADEC cleanup levels.

The release and site cleanup is documented in the Alaska Department of Environmental Conservation (ADEC) underground storage tank database under the following reference numbers:

ADEC Facility ID #1517
ADEC File No. 2100.26.027
ADEC Hazard ID: 23822

There is soil contamination remaining on site at concentrations greater than established cleanup levels, but additional cleanup action is not required because the contamination does not pose an unacceptable risk to human health, public safety, welfare, or the environment. In accordance with 18 AAC 78.276(f)(1), the ADEC reviewed and approved, subject to institutional controls and additional conditions (ICs) listed as follows, the cleanup actions as being protective of human health, safety, welfare, and the environment.

1. Any future change in land use may impact the exposure assumptions cited in this document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. Therefore the Holiday Alaska, Inc. shall report to ADEC every five years to document land use, or report as soon as Holiday Alaska, Inc. becomes aware of any change in land ownership and/or use, if earlier.

2. Future installation of groundwater wells will require approval from ADEC.

3. Monitoring wells (MWs) must be decommissioned in accordance with the ADEC approved Work Plan for Monitoring Well Decommissioning at Holiday and/or Williams Stores.

4. Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 78.600(h). 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. (See attached site figure and Notice of Environmental Contamination).

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

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 groundwater at or near the contaminated area requires notification to and approval from the Department in accordance with 18 AAC 78.600(h).

Attached is a diagram of the Holiday Station Store No. 614 facility drawn to scale that shows the property boundaries, the approximate location and extent of remaining soil and/or groundwater contamination, local groundwater flow direction, and groundwater monitoring well locations.

This notice remains in effect until a written determination from ADEC is recorded that states that the soil and groundwater at the site has been shown to meet the most stringent soil cleanup levels in Method Two of 18 AAC 75.341 and/or groundwater meets the cleanup levels in Table C in 18 AAC 75.345.

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

Holiday Alaska, Inc.:

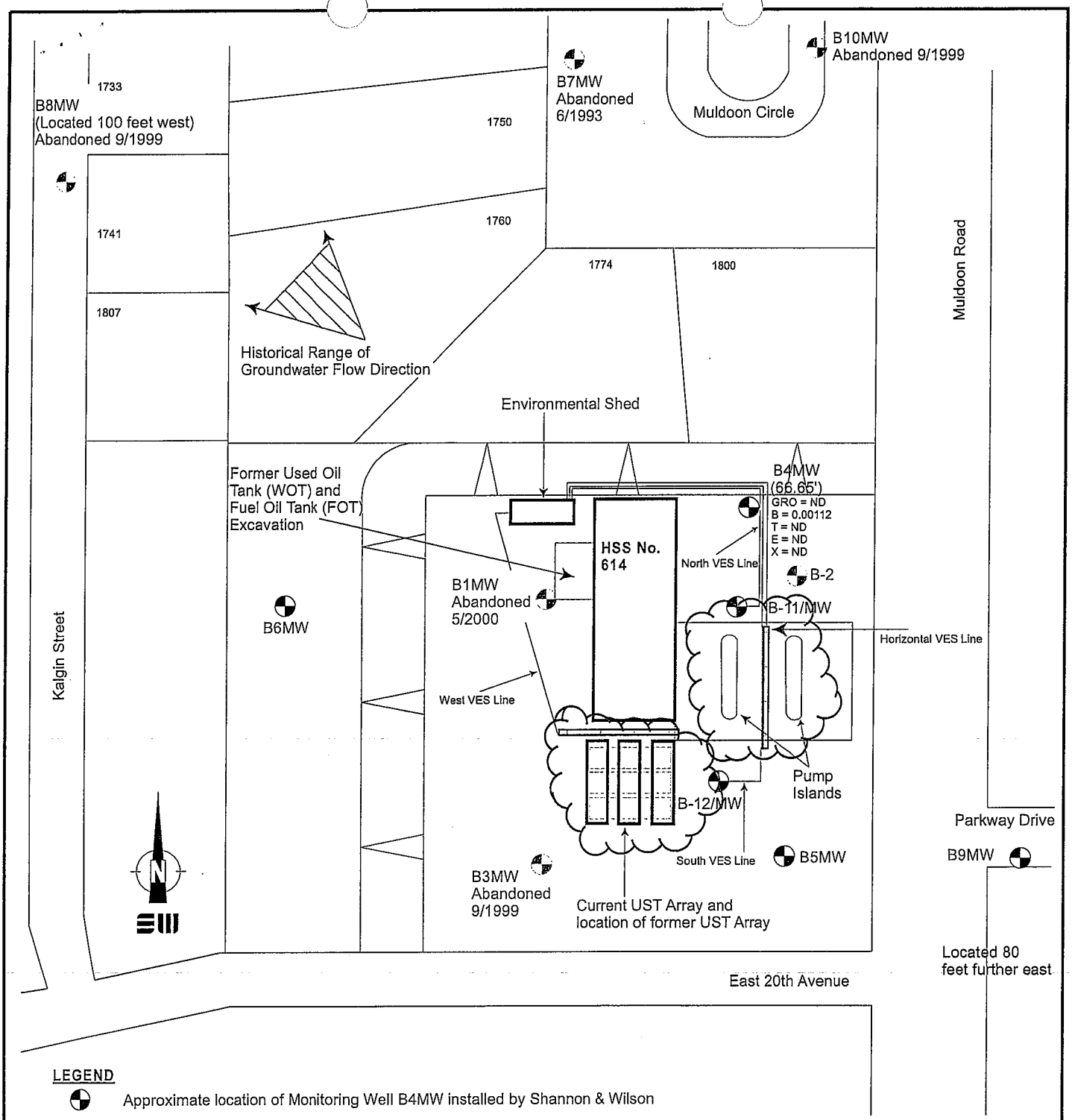
Signature: _____
Printed Name: _____
Mailing Address: _____
_____

(Notarization seal)

Subscribed and sworn to before me this ___ day of _____, 2009.

Notary Public in and for the State of _____
My commission expires: _____

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.



LEGEND

Approximate location of Monitoring Well B4MW installed by Shannon & Wilson

B4MW (66.65') — Groundwater elevation in feet, measured on April 23, 2008

GRO = ND, B = 0.00112, T = ND, E = ND, X = ND — GRO and BTEX concentrations in mg/L, April 23, 2008 groundwater monitoring event.

Approximate route of vapor recovery piping; dashed where slotted.

ND — Analyte not detected

approximate location and extent of historic subsurface soil contamination

0 50 100
APPROXIMATE SCALE IN FEET

1900 Muldoon Road
Anchorage, Alaska

SITE PLAN AND APRIL 2008 RESULTS

March 2009 — 32-1-17309-146

SHANNON & WILSON, INC.
Geotechnical & Environmental Consultants

Fig. 1