



THE STATE  
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Environmental  
Conservation

DIVISION OF SPILL PREVENTION & RESPONSE  
Contaminated Sites Program

410 Willoughby Ave Suite 303  
PO Box 111800  
Juneau, Alaska 99811-1800  
Main: 907-465-5390  
Fax: 907-465-5218

File No: 2107.26.008

September 2, 2014

Certified Mail Return Receipt Requested  
Article No. 7014 1200 0000 7457 6675

Todd Bachand  
First Group America  
600 Vine Street Suite 1400  
Cincinnati, OH 45202

Re: Verification of Institutional Control Compliance at Laidlaw Bus Barn

Dear Mr. Bachand:

The Contaminated Sites Program is conducting an audit of contaminated sites closed with conditions (Institutional Controls) to verify that closure stipulations such as periodic monitoring and reporting are being performed by the responsible party of record as required under state law (18 AAC 75.375).

In 2011 the Alaska Department of Environmental Conservation (DEC) granted a Decision Document for the Laidlaw Bus Barn site that included conditions requiring groundwater monitoring of MW-1, MW-6, and MW-7 in accordance with State Environmental Services Long Term Groundwater Monitoring Plan. According to our records, we have not received groundwater monitoring results from the 2013 sampling event. Furthermore, the Notice of Environmental Contamination (NEC or deed notice) was to be recorded in the State Recorder's Office by August 31, 2011 and a copy of the recorded document provided to the ADEC by September 15, 2011. Additionally, Attachment A in the Determination letter was required to be signed and returned to ADEC within 30 days of receipt of the letter. DEC has no record of the deed notice or the signed attachment A. The Decision document detailing the institutional controls that are in effect for this property is enclosed.

Requested Documentation

In order to ensure that conditions at the site are protective of human health, welfare and the environment, DEC requests that you provide the following:

- Nature of the current land use of the Laidlaw Bus Barn property.

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- Results from the latest groundwater monitoring event. If monitoring results are not available, please make arrangements to have monitoring performed **as soon as possible**.
- A copy of the recorded Notice of Environmental Contamination that was filed in the State Recorder's Office. If the deed notice has not been filed, please let ADEC know and make arrangements to file the deed notice **as soon as possible**. A blank copy of the NEC is enclosed with this letter. If you would prefer DEC to file the NEC for you, please let us know.
- A signed copy of **Attachment A: Cleanup Complete-ICs Agreement and Signature Page** from the Decision Document. A blank copy of the signature page is enclosed with this letter.

In addition to the groundwater monitoring, deed notice, and Attachment A documentation requirements, please be advised that the following Institutional Controls as established in the 2011 Decision Document continue to apply:

- First Group America shall report to ADEC every five years to document land use, or report as soon as First Group America 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](mailto:DEC.ICUnit@alaska.gov).
- Installation of groundwater or drinking water wells on the property will require approval from ADEC.
- Any proposal to transport soil or groundwater 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.
- Prior approval must be obtained from ADEC prior to excavation deeper than 3 feet in the area of expected contamination. ADEC may require a work plan to be submitted to it in accordance to 18 AAC 78 for approval prior to excavation.
- Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

DEC is concerned that the site conditions may not be protective. Failure to maintain these requirements may result in re-opening of the site by the Contaminated Sites Program, in which case, further remediation could be mandatory.

Please provide the requested documentation either by hard copy letter or email no later than **November 2, 2014**. If you have any questions about these requirements, please do not hesitate to contact me at (907) 465-5229 or [evonne.reese@alaska.gov](mailto:evonne.reese@alaska.gov).

Sincerely,



Evonne Reese  
Environmental Program Specialist  
Institutional Control Unit

Encl: 2011 Decision Document