STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF SPILL PREVENTION AND RESPONSE
CONTAMINATED SITES PROGRAM

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http://www.state.ak.us/dec/home.htm

File: 1513.38.020

July 7, 2005

Prospector Hotel
375 Whittier Street
Juneau, AK 99801

Re: Prospector Hotel
375 Whittier Street
No Further Remedial Action Required

To Whom It May Concern:

A file review indicated your consultant, Randolph Bayliss, performed onsite remediation work in May 1991 after removal of two underground tanks on the Prospector Hotel property located at 375 Whittier Street.

On May 10, 1991 two leaking underground storage tanks were closed by removal. Contaminated soil was found on site during the tank removal and Randolph Bayliss was hired as a consultant by the Prospector Hotel. Mr. Bayliss proposed to remove all of the contaminated soil that was possible and mix any remaining soil with concrete under the new tank. Lesser contaminated soil was to be mixed with fertilizer and left in place. Ventilation risers were installed for passive bioremediation. Sampling was supposed to be conducted on the soil before encapsulation, but no results were sent to The Department of Environmental Conservation (DEC).

The Department determines that No Further Remedial Action is necessary for this site. DEC has elected **not** to pursue additional action at this site for the following:

1. The contaminant source no longer exists.
2. Groundwater at the site is not used as a drinking water source.
3. Any remaining contamination from soil encapsulated 14 years after source removal, should be stable at this time, is likely below 18 AAC 75.345 cleanup levels, and is not likely migrating to nearby surface waters.

In accordance with 18 AAC 75.380 (d) (1) and 18 AAC 78.276, additional investigation and cleanup may be required if new information is discovered which leads ADEC to make a determination that the cleanup described in the decision in not protective of human health, safety, and welfare of the environment.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195-340 or an information review by the Division Director in accordance with 18 AAC 15.185. Information review requests must be delivered to the Division Director, 410

Willoughby Avenue, Suite 303, Juneau, Alaska 99801 within 15 days of the decision date. 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 of the decision date. The right to appeal is waived if a hearing is not requested within 30 days.

The DEC reserves the right to require additional site assessment, monitoring, remediation and/or other necessary actions at your site, should new information become available that suggests contamination at this site may pose threat to human health or safety, or the environment. If you have any questions or concerns contact me directly at (907) 465-5209 or by email Jill_Taylor@dec.state.ak.us.

Sincerely,

Jill Taylor
Environmental Specialist