



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Environmental
Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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File: 2257.26.001

Certified Mail, Return Receipt Requested
Article No. 7015 0640 0002 5001 8995

March 28, 2017

Dalibor & Kim Machalek
P.O. Box 71
Unalaska, AK 99685-0071

Re: Institutional Controls (ICs) Verification for **Chickaloon General Store**,
located at 34223 (Mile 76.3) North Glenn Hwy. in Sutton, Alaska 99674

Dear Mr. & Mrs. Machalek:

The Contaminated Sites Program conducts periodic verification of closed sites where institutional controls (land use restrictions) are required under 18 AAC 75.375. We have identified the Chickaloon General Store as a site with institutional controls.

It was brought to our attention that you have recently acquired the Chickaloon General Store property. As the new owner of the property you should be aware that there are ongoing obligations for this site.

In order to prevent people from being exposed to any remaining contamination on the property, **this letter is being sent as a reminder** of the conditions placed on the property as part of the 2009 Record of Decision granted by the Alaska Department of Environmental Conservation (ADEC). At the time of closure, soil and groundwater contamination were documented as remaining on the property. The contamination is from petroleum impacted soil encountered in 1990 during the removal of two 2,000-gallon gasoline regulated underground storage tanks (USTs), two 2,000-gallon diesel USTs, and the associated fuel lines.

As established in the 2009 Record of Decision, the Chickaloon General Store property is subject to the following site-specific and standard conditions and/or controls:

1. Any future change in land use may impact exposure assumptions cited in the Record of Decision document. If land use and/or ownership changes, current institutional controls may not be protective and ADEC may require additional remediation and/or institutional controls. Therefore, the Chickaloon General Store shall report to ADEC every five years to document land use, or as soon as they become 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. Groundwater wells may not be installed on site without ADEC approval.
3. ADEC recommends the former (disconnected) well inside the General Store be completely decommissioned and abandoned.
4. Any proposal to transport soil or groundwater off-site requires ADEC approval in accordance with 18 AAC 75.325(i). 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. *This is a standard condition.*
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 is a standard condition.*
6. Groundwater in the state of Alaska is protected for aquaculture use. In the event that an aquaculture facility uses groundwater from this site in the future, additional treatment may be required to meet aquatic life criteria under 18 AAC 70. *This is a standard condition.*

Failure to maintain these requirements may result in re-opening the site by the Contaminated Sites Program, in which case, further remediation could be mandatory.

In accordance with 18 AAC 75.380(d)(2), ADEC may require additional site assessment, monitoring, remediation, and/or necessary actions at this facility should new information become available that indicates contamination at this site may pose a threat to human health or the environment.

If you seek to have the institutional controls removed from this site, you can choose at any time to voluntarily conduct additional assessment, monitoring or further cleanup to demonstrate that contamination at the site now meets the applicable cleanup levels under 18 AAC 75.

This site information is a matter of public record and is available at ADEC's online database record at: <http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/23458>

******Please sign and return the attached Cleanup Complete-ICs Agreement and Signature Page within 30 days of receipt of this letter, as your acknowledgement of the Institutional Controls in effect for the Chickaloon General Store site.***

If you have any questions regarding this site, please contact me at (907) 465-5229 or evonne.reese@alaska.gov and I will be glad to assist you.

Sincerely,



Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Encl: Corrective Action Complete-ICs Agreement and Signature Page (blank copy)
2009 Record of Decision

Note: In the interest of reducing file space, the Division of SPAR/Contaminated Sites Program is transitioning to electronic transmission of project correspondence. Please provide us with your current e-mail address (if you have one) so that we may issue future correspondence to you in an electronic format.

You may submit any needed documentation electronically. If your submittal is too large to email (i.e. exceeds 20 megabytes), you may submit it to me through the Alaska ZenVio "drop-off" option at <https://drop.state.ak.us/drop/>. The Division of SP, AR/C contaminated Sites Program prefers and encourages electronic submittals.

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

Dalibor & Kim Machalek agree to the terms and Institutional Controls Conditions of the Corrective Action Complete with ICs Determination as stated in the Record of Decision document dated **November 6, 2009** for the Chickaloon General Store; Hazard ID: 23458. Failure to comply with the terms and conditions of the determination may result in ADEC reopening this site and requiring further remedial action in accordance with 18 AAC 75.380.

Signature of Authorized Representative, Title
Dalibor & Kim Machalek

Date

Printed Name of Authorized Representative, Title
Dalibor & Kim Machalek

Institutional Controls and Conditions

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Note to Responsible Person (RP): After making a copy for your records, please email a scanned, signed copy of this form to the ADEC project manager at the email address on this correspondence within 30 days of receipt of this letter. The Division of SPAR/Contaminated Sites Program prefers and encourages electronic submittals.