



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Environmental
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

410 Willoughby Ave., Suite 303
P.O. Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5390
Fax: 907.465.5218
www.dec.alaska.gov

File: 100.38.166

Certified Mail, Return Receipt Requested
Article No. 7016 2140 0000 7037 7720

May 11, 2017

North Arctic Trust, LLC
Attn: Mr. Timothy Cerny
1501 Queens Way
Fairbanks, AK 99701

Re: Institutional Controls (ICs) Verification for:
Bentley Trust Property Tax Lot 221, 19 College Road, Fairbanks, Alaska 99701

Dear Mr. Cerny:

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 Bentley Trust Property Tax Lot 221 as a site with institutional controls.

As the current 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 2005 No Further Remedial Action Planned 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.

During a thorough review of the Bentley Trust Property Tax Lot 221 site record, it was discovered that the Notice of Environmental Cleanup and Residual Soil and Groundwater Contamination (deed notice) signed and notarized in 2006 was never filed with the State of Alaska Recorder's Office. The ADEC filed the notice in the Fairbanks Recording District on June 23, 2015. A copy of the recorded deed notice (Document ID: 2015-009660-0) is enclosed.

Policy and regulations have evolved since this site was closed with conditions in 2005. Please be reminded that the Bentley Trust Property Tax Lot 221 property in Fairbanks is subject to the following site-specific and standard conditions and/or controls:

1. Excavation and removal of soil in the vicinity of soil borings SB-2 and SB-11 is restricted without prior ADEC approval. The soil cannot be excavated unless tested first under an ADEC-approved workplan.
2. Groundwater is not to be used as a drinking water source. Any use of groundwater within the property boundaries is restricted without prior ADEC approval.
3. In the event that the remaining contaminated soil becomes accessible by the building or other structure being removed or through some other action that fits the site circumstances, the landowner and/or operator are required to notify ADEC and evaluate the environmental status of the contamination in accordance with applicable laws and regulations. Further site characterizations and cleanup may be necessary.
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.

In addition to the conditions above, you are required to notify the ADEC if there are any changes in land use or ownership. 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/3961>

The ADEC will issue a reminder letter such as this on a scheduled basis, every three years. 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.

Mr. Timothy Cerny; North Arctic Trust, LLC
Bentley Trust Property Tax Lot 221

May 11, 2017

Sincerely,

A handwritten signature in blue ink that reads "Evonne Reese". The signature is written in a cursive, flowing style.

Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Encl: 2005 No Further Remedial Action Planned
Recorded Deed Notice

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 ZendTo "drop-off" option at <https://drop.state.ak.us/drop/>. The Division of SPAR/Contaminated Sites Program prefers and encourages electronic submittals.