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: 2107.26.008

May 16, 2017

Sent via electronic mail only
Susan Kirkpatrick
Sr. Environmental Project & Program Manager
FirstGroup America, Inc.
600 Vine Street, Suite 1400
Cincinnati, OH 45202

Re: **Laidlaw Bus Barn**, 12031 and 12049 Spring Brook Drive, Eagle River, Alaska 99577
Notice of Environmental Contamination Filing in the State Recorder's Office;
Long-term Groundwater Monitoring Complete; &
Remaining Institutional Controls

DEC Site Identifiers:
File No: 2107.26.008
Hazard ID: 24088

Regulatory Authority for Determination:
18 AAC 78 and 18 AAC 75

Dear Ms. Kirkpatrick:

The Alaska Department of Environmental Conservation (ADEC) Contaminated Sites Program has reviewed the environmental record for the referenced site. In 2011, ADEC granted a Decision Document for the Laidlaw Bus Barn site that included conditions requiring the Notice of Environmental Contamination (NEC or deed notice) to be recorded in the State Recorder's Office. In 2014, a subsequent Verification of Institutional Controls Compliance letter was issued acknowledging that we had not received the recorded deed notice, and requesting the deed notice be filed. Although we have been receiving updates on the groundwater sampling occurring at the site, we still have not received the signed, officially recorded NEC. Therefore, ADEC has made the determination to sign and file the deed notice on your behalf. A copy of the NEC to be filed is enclosed with this letter. **Please notify us within 30 days receipt of this letter** if you have questions or concerns regarding the filing of the attached deed notice. ADEC will then proceed with filing the deed notice in the Anchorage District of the State Recorder's Office.

Furthermore, ADEC has also reviewed the Strata Environmental Services, Inc. "Groundwater Monitoring Report" dated September 2016. On February 2, 2017, the ADEC responded in receipt of the groundwater monitoring report inquiring about the supply well on the site. Strata Environmental

Services, Inc. representative Joshua Bolling compiled a thorough response to ADEC's inquiry which he detailed in an electronic correspondence on April 28, 2017. Based on the information provided, and the establishment of a decreasing trend in contaminant concentrations over many years of sampling, the ADEC has determined that further sampling is no longer required.

ADEC Decision

This letter documents ADEC's decision to (1) file the Notice of Environmental Contamination on your behalf, and (2) to terminate groundwater monitoring requirements at the site. Long-term groundwater monitoring is complete. The groundwater monitoring institutional control requirement has been removed from the Laidlaw Bus Barn site record. All other institutional controls remain in effect.

ADEC Request

The ADEC requests that you decommission the remaining groundwater monitoring wells **within one year** of receipt of this letter. The three (3) wells are identified as MW1R, MW6, and MW7 in the 2016 Groundwater Monitoring Report prepared by Strata Environmental Services, Inc. You must submit a brief report that includes photos verifying that the wells were decommissioned in accordance with the 2013 ADEC Monitoring Well Guidance – http://dec.alaska.gov/spar/csp/guidance_forms/docs/Monitoring_Well_Guidance.pdf.

Please be advised that the following standard and site-specific conditions (institutional controls) will still apply to the Laidlaw Bus Barn site:

1. The landowner shall report to ADEC every five years to document land use, or report as soon as the landowner becomes aware of any change in land ownership and/or use, if earlier. The report can be sent to the local ADEC office or submitted electronically to CS.Submittals@alaska.gov.
2. Installation of groundwater or drinking water wells on the property will require approval from ADEC.
3. Prior approval must be obtained from ADEC prior to excavation deeper than 3 feet in the area of expected contamination (as shown on *Attachment B: Site Figure*, page 10 of the ADEC issued Decision Document, dated June 22, 2011). ADEC may require a work plan to be submitted to it in accordance to 18 AAC 78 for approval prior to excavation.
4. 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. (See *Attachment B: Site Figure*, page 10 of the ADEC issued Decision Document, dated June 22, 2011.)
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 in accordance with 18 AAC 78.276(f) and does not preclude ADEC from requiring additional assessment and/or cleanup action if future information indicates that this site may pose an unacceptable risk to human health or the environment.

If you have any questions about this site and its requirements, please do not hesitate to contact me at (907) 465-5229 or evonne.reese@alaska.gov.

Sincerely,

Evonne Reese

Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Encl: 2011 Decision Document
2014 Verification of Institutional Controls Compliance
NEC to be filed by ADEC in the State Recorder's Office

CC: Joshua Bolling, Strata Environmental Services, Inc.
Tim Riddle, Strata Environmental Services, Inc.

Note: This letter is being transmitted to you in electronic format only. If you require a paper copy, let us know and we will be happy to provide one to you. In the interest of reducing file space, the Division of SPAR/Contaminated Sites Program is transitioning to electronic transmission of project correspondence.

You may submit any needed documentation electronically. If your submittal 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.

Notice of Environmental Contamination

Grantor: State of Alaska
Department of Environmental Conservation
Contaminated Sites Program

Grantee: FirstGroup America, Inc.

Legal Description: Lots 2 and 3, Block 5, Spring Brook Subdivision of the Anchorage Recording District, Third Judicial District, State of Alaska

Recording District: 301 Anchorage Recording District

Return to: Evonne Reese
ADEC Contaminated Sites Program
410 Willoughby Ave., Ste. 303
P.O. Box 111800
Juneau, AK 99811-1800

State Business- No Charge

NOTICE OF ENVIRONMENTAL CONTAMINATION AND INSTITUTIONAL CONTROLS

As required by the Alaska Department of Environmental Conservation, pursuant to 18 AAC 75.375, FirstGroup America, Inc., the Landowner of the subject property, hereby provides public notice that the property located at: 12031 and 12049 Spring Brook Drive, Eagle River, Alaska, 99577, and more particularly described as follows:

> **Lots 2 and 3, Block 5, Spring Brook Subdivision of the Anchorage Recording District, Third Judicial District, State of Alaska**

has been subject to a discharge or release and subsequent cleanup of oil or other hazardous substances, regulated under 18 AAC 75, Article 3. This release and cleanup are documented in the Alaska Department of Environmental Conservation (ADEC) contaminated sites database at http://www.dec.state.ak.us/spar/csp/db_search.htm under the site name Laidlaw Bus Barn and Hazard ID number 24088.

ADEC has reviewed and approved, subject to the institutional controls described below, the cleanup as protective of human health, safety, welfare, and the environment. No further cleanup is necessary at this site as long as the institutional controls remain in place and effective, and no new information becomes available that indicates to ADEC that the site may pose an unacceptable risk to human health, safety, welfare, or the environment.

ADEC determined, in accordance with 18 AAC 75.325 – .390 site cleanup rules, that cleanup has been performed to the maximum extent practicable even though residual fuel in soil and groundwater exists on-site. Attached is a site survey or diagram drawn to scale that shows the property boundaries, locations of existing structures, the area that has been cleaned up, the approximate location and extent of remaining soil and groundwater contamination.

The ADEC has determined there is no unacceptable risk to human health or the environment, and this site will be granted a Correction Action Complete with Institutional Controls determination subject to the following:

1. The landowner shall report to ADEC every five years to document land use, or report as soon as the landowner becomes aware of any change in land ownership and/or use, if earlier. The report can be sent to the local ADEC office or submitted electronically to CS.Submittals@alaska.gov.
2. Installation of groundwater or drinking water wells on the property will require approval from ADEC.
3. Prior approval must be obtained from ADEC prior to excavation deeper than 3 feet in the area of expected contamination as shown on the attached Site Figure. ADEC may require a work plan to be submitted to it in accordance to 18 AAC 78 for approval prior to excavation.

4. 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. (See attached Site Figure.)
5. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

Failure to comply with the institutional controls described herein may result in ADEC reopening the site and requiring additional site characterization and cleanup.

In the event that the remaining contaminated soil becomes accessible, or other 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 are 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 characterizations and cleanup may be necessary under 18 AAC 75.325-.390.

Pursuant to 18 AAC 75.325(i)(1) and (2), ADEC approval is required prior to moving soil or groundwater that is, or has been, subject to the cleanup rules found at 18 AAC 75.325-.370. At this site, in the future, if soil is removed from the site or groundwater is brought to the surface (for example to dewater in support of construction) it must be characterized and managed following regulations applicable at that time.

This notice and the institutional controls remain in effect until a written determination from ADEC is recorded that documents contaminants remaining at the site have been shown to meet the residential use soil cleanup levels defined in 18 AAC 75.340 and groundwater cleanup levels in Table C within 18 AAC 75.345 and that off-site transportation of soil and/or groundwater are no longer a potential concern.

For more information on the contaminated site in this Notice of Environmental Contamination, please see ADEC Contaminated Sites Program file number 2107.26.008 for the site named Laidlaw Bus Barn.

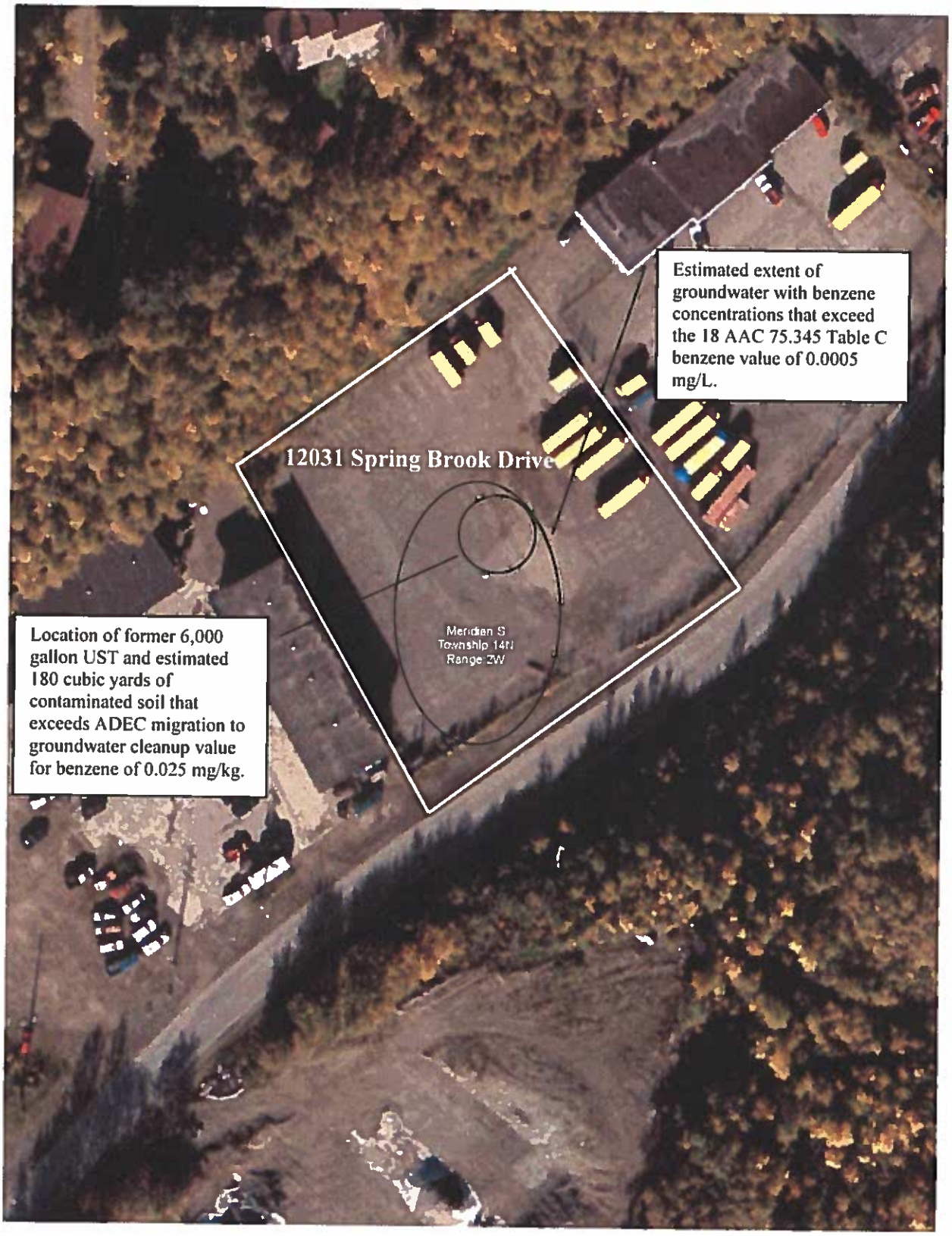
Anne Reese

Signature of Authorized ADEC Representative

5/16/17

Date

Site Figure


12031 Spring Brook Drive
Meridian S
Township 14N
Range 2W
Estimated extent of groundwater with benzene concentrations that exceed the 18 AAC 75.345 Table C benzene value of 0.0005 mg/L.
Location of former 6,000 gallon UST and estimated 180 cubic yards of contaminated soil that exceeds ADEC migration to groundwater cleanup value for benzene of 0.025 mg/kg.