THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Environmental Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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Certified Mail, Return Receipt Requested
Article No. 7016 2140 0000 7037 7768

May 17, 2017

Creekside Holdings, LLC
c/o Mr. David Thompson
SE Grainger Development Group, LLC
845 106th Avenue N.E. – Suite 100
Bellevue, WA 98004

Re: Institutional Controls (ICs) Compliance at:
Tract 4 Alaska Village Subdivision, 7600 Debarr Rd., Anchorage, Alaska 99504

Dear Mr. Thompson:

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 September 2011 the Alaska Department of Environmental Conservation (ADEC) granted a Cleanup Complete with ICs Determination (Decision Document) for the Tract 4 Alaska Village Subdivision site that included conditions requesting that the Institutional Controls (ICs) Agreement Page be signed and returned to ADEC within 30 days of receipt of the letter. Based on our records, we have not received a signed copy of this document as requested. The Decision Document outlining the original request is enclosed. Furthermore, the referenced site is now due for its five-year review regarding land use conditions.

Requested Documentation

1. Please review, sign, and return the signed copy of ***Attachment A: Cleanup Complete-ICs Agreement and Signature Page*** to the ADEC. A blank copy of the signature page is enclosed with this letter. The signed copy can be mailed, faxed, or emailed to CS.Submittals@alaska.gov.
2. In order to ensure that conditions at the site are protective of human health, welfare and the environment, please provide an update on the current land use (and any changes in property ownership, if applicable) of the Tract 4 Alaska Village Subdivision site.

In addition to the requirements listed above, please be advised that the following site-specific and standard conditions and/or controls as established in the 2011 Decision Document continue to apply:

1. Any future change in land use may impact the exposure assumptions cited in the 2011 Decision Document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. Therefore the responsible party and/or person or entity signing Attachment A shall report to ADEC every five years to document land use, or report as soon as any change in land ownership, tenancy occupancy, and/or use becomes known, if earlier than 5 years. The report can be sent to the local ADEC office or submitted electronically to CS.Submittals@alaska.gov.
2. Any proposal to transport soil or groundwater off-site requires ADEC approval in accordance with 18 AAC 75.325. 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 Figure 2, attached in the 2011 Decision Document.)
3. Soil contamination by TCE is present at levels exceeding the site cleanup level along the western portion of the property, as shown on Figure 2. DRO or other petroleum hydrocarbons may be present in soil or groundwater at or near the top of the groundwater table, as has been documented at numerous other area of the Alaskan Village Mobile Home Park site that included the referenced site, Tract 4 of the Alaska Village subdivision. If soils in the area where TCE has been documented or soil close to the soil/groundwater interface are exposed or excavated in any area of the property, they must be evaluated for contamination by field screening and analysis before being transported off-site for any purpose other than to treat them by approved remediation methods. Potentially contaminated soil and groundwater must be evaluated and contamination addressed in accordance with an ADEC approved workplan.
4. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
5. A Notice of Environmental Contamination (NEC) that identifies the nature and extent of contamination at the site, and any conditions that the owners and operators are subject to in accordance with the 2011 Decision Document has been recorded in the State Recorder's Office. *A copy of this document is enclosed for your reference.*

The ADEC is concerned that these site conditions remain 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 **June 19, 2017**. If you have any questions about these requirements, please do not hesitate to contact me at (907) 465-5229 or evonne.reese@alaska.gov.

Sincerely,

Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Encl: Attachment A: Cleanup Complete-ICs Agreement and Signature Page (blank copy)
2011 Decision Document
2011 Recorded Notice of Environmental Contamination

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.

Attachment A: Cleanup Complete-ICs Agreement and Signature Page*

The undersigned responsible party (RP) agrees to the terms and Institutional Controls Conditions of the Cleanup Complete with ICs Determination as stated in the Closure Decision Document dated **September 29, 2011** for the Tract 4 Alaska Village Subdivision; Hazard ID: 25740. 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 with18 AAC 75.380.

_____ _____

Signature of Authorized Representative, Title Date
Alaska Village, Tract 4

_____

Printed Name of Authorized Representative, Title
Alaska Village, Tract 4

Institutional Controls and Conditions

1. Any future change in land use may impact the exposure assumptions cited in the 2011 Decision Document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. Therefore the responsible party and/or person or entity signing Attachment A shall report to ADEC every five years to document land use, or report as soon as any change in land ownership, tenancy occupancy, and/or use becomes known, if earlier than 5 years. The report can be sent to the local ADEC office or submitted electronically to CS.Submittals@alaska.gov.
2. Any proposal to transport soil or groundwater off-site requires ADEC approval in accordance with 18 AAC 75.325. 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 Figure 2, attached in the 2011 Decision Document.)
3. Soil contamination by TCE is present at levels exceeding the site cleanup level along the western portion of the property, as shown on Figure 2. DRO or other petroleum hydrocarbons may be present in soil or groundwater at or near the top of the groundwater table, as has been documented at numerous other area of the Alaskan Village Mobile Home Park site that included the referenced site, Tract 4 of the Alaska Village subdivision. If soils in the area where TCE has been documented or soil close to the soil/groundwater interface are exposed or excavated in any area of the property, they must be evaluated for contamination by field screening and analysis before being transported off-site for any purpose other than to treat them by approved remediation methods. Potentially contaminated soil and groundwater must be evaluated and contamination addressed in accordance with an ADEC approved workplan.
4. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

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.*