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 7812

May 30, 2017

Eklutna, Inc.
16515 Centerfield Drive
Eagle River, AK 99577

Re: Institutional Controls (ICs) Verification for
Office Depot, 201 East 6th Avenue, Anchorage, Alaska 99502

To Whom It May Concern:

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 Office Depot as a site with institutional controls.

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 2010 Cleanup Complete – Institutional Controls Determination (Decision Document) 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 2010 determination is subject to the following site-specific and standard conditions and/or controls:

1. Any future change in land use may impact the exposure assumptions cited in the 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 Eklutna, Inc. shall report to ADEC every five years to document land use, or report as soon as Eklutna, Inc. 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. The Notice of Environmental Contamination (NEC or deed notice) has been recorded in the State Recorder's Office and includes a summary of the site information contained in the Decision Document. A copy of the NEC shall be provided to the property tenant(s) to ensure that they are aware of restrictions associated with the contamination remaining at the site.

3. The location of contaminated soil reused onsite as a base for a physical barrier in accordance with 18 AAC 75.360(11)(G) is shown on Figure 2 (*attached in the Decision Document*). In the event the contamination becomes accessible and/or an exposure pathway is created, the owner/operator shall notify the ADEC and may be required to conduct a site characterization in accordance with 18 AAC 75.335. If the ADEC determines corrective action is necessary, the owner/operator shall conduct cleanup in accordance with 18 AAC 75. Notification to ADEC is required prior to offsite transport or disposal of soil from this area.
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. The location of the south sidewall of the 1999 excavation containing contaminated soil remaining in place that exceeds the cleanup level for PCE is shown on Figure 1 (*attached in the Decision Document*). If soil in the area of the south sidewall of the May 1999 excavation is excavated or otherwise becomes accessible or an exposure pathway is created, the owner/operator shall notify the ADEC and may be required to conduct a site characterization in accordance with 18 AAC 75.335. If the ADEC determines corrective action is necessary, the owner/operator shall conduct cleanup in accordance with 18 AAC 75. Notification to ADEC is required prior to offsite transport or disposal of soil from this area.
6. Any proposal to transport contaminated or potentially-contaminated soil offsite or move it to another location onsite requires ADEC approval in accordance with 18 AAC 75.325 (i). This includes but is not limited to the contaminated soil described in items 4 and 6 and any other contamination that may be present at the property
7. Continue to monitor on a permanent basis or until the contaminated soil beneath the pavement has been demonstrated to be remediated to applicable site cleanup levels or disposed of in accordance with ADEC regulations, the asphalt pavement overlying the area shown on Figure 2 (*attached in the Decision Document*). Figure 2 shows the as-built location of the soil placed as a base for the physical barrier. The plan established the schedule, inspection methods, corrective action, and record keeping for monitoring activities. The requirements, excerpted from the ADEC-approved *Asphalt Pavement Monitoring Plan, Office Depot Store, Sixth Avenue and Cordova Street, Anchorage, Alaska* prepared by DOWL Engineers and dated October 1999, on file with ADEC, are copied in their entirety as items a through d, below:
    a. <u>Schedule</u>: Visual inspection and maintenance activities for the asphalt pavement shall be conducted on an annual basis. Visual inspection shall be conducted in the late spring when the winter snow cover has disappeared, and the ground has thawed and no frost is suspected in the parking area. Maintenance activities and any necessary corrective action shall be performed immediately upon discovery of cracking, subsidence, damaged asphalt, or other conditions of the pavement surface that diminishes the integrity of the physical barrier established by the asphalt.
    b. <u>Inspection methods</u>: The pavement surface of the parking area where the contaminated base material has been placed shall be visually inspected for cracks, low areas indicating subsidence of the soils, damaged asphalt, and other conditions of the pavement surface that may compromise the integrity of the physical barrier. Visual inspection shall be conducted by walking a grid pattern of the area and observing the asphalt surface. Observations shall be documented in writing on an inspection report form. The location and description of any damage to the pavement surface shall be noted, and the size of the

damaged area shall be noted on the form. A preliminary recommendation for the method of corrective action shall be provided in writing on the form. Photographs of the parking area may be used in documenting the condition of the asphalt surface, but are not required.

c. Corrective action: The intent of any corrective action shall be to preserve the integrity of the asphalt pavement barrier over the contaminated material. The principal concern is cracks that penetrate the full depth of the asphalt pavement. If linear shrinkage cracks are observed, corrective action should be performed by filling the cracks with emulsified asphalt. The pavement in areas that exhibit "alligator" cracking due to subgrade failure should be removed and replaced in accordance with M.A.S.S. Standard Specification, Section 40.07. The subgrade soils should be reconditioned before the new pavement is placed. Reconditioning may include re-compaction of the subgrade soils below the distressed pavement, or may require removal and replacement of D-1 leveling coarse soil below the pavement. The pavement in areas that subside and crack should be removed and replaced as described above. Additional D-1 leveling coarse soil may be required to bring the area to the proper grade before new asphalt is placed.

d. Record keeping: Eklutna, Inc. (or its contractor shall be responsible for maintaining a record of the inspections and activities performed under this Plan. The inspection records shall be maintained in a logbook containing a copy of this Plan, and a log of each activity that occurs under this Plan. The time, date, activity, and the name of the person or subcontractor who accomplished the activity shall be recorded in the logbook. Monitoring results need not be submitted to the ADEC except upon request. At a minimum, inspection records shall be maintained for the most recent three years.

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/3167

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

Sincerely,

Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Encl: 2010 Decision Document
2010 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.