



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: 100.38.183

June 12, 2017

Ernst Boyd & Hai Feng Li
P.O. Box 19258
Stanford, CA 94309

Ernst Boyd & Hai Feng Li
3584 Indiana Ave
Fairbanks, AK 99709

Re: Verification of Institutional Control Compliance at **Residence - 685 Indiana Avenue**

To Whom It May Concern:

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 2009 the Alaska Department of Environmental Conservation (ADEC) granted a Cleanup Complete Determination-Institutional Controls for the Residence - 685 Indiana Avenue site that included conditions requiring the monitoring well to be decommissioned in accordance with ADEC guidance in accordance to 18 AAC 75.345(j). Additionally, the Determination included conditions requiring that the on-site drinking water well be decommissioned also, unless the property owner wanted to utilize the drinking water well. In that case, the drinking water well was required to be sampled annually for DRO (by AK Method 102) and BTEX (by method EPA 524). Once the drinking water is demonstrated to be free of petroleum contamination for three (3) consecutive annual sampling events, the sampling could be discontinued. However, we have not received any reports documenting the decommissioning of the monitoring well or documenting the drinking water well sampling and/or decommissioning. Furthermore, as you have assumed responsibility of the property, ADEC requests you provide written confirmation of your acknowledgment and agreement to the institutional controls placed on the property as part of the 2009 Determination (see Attachment A). The 2009 Cleanup Complete Determination-Institutional Controls document detailing the institutional controls that are in effect for this property is enclosed.

You should also be aware that a Notice of Environmental Cleanup and Residual Soil Contamination (deed notice) has been filed with the Fairbanks Recording District of the State Recorder's Office. A copy of this deed notice is enclosed for your reference.

Requested Documentation

In order to ensure that conditions at the site are protective of human health, welfare and the environment, ADEC requests that you provide the following:

1. Nature of the current land use of the Residence - 685 Indiana Avenue property. Are there residents living on the property?
2. Do you know if the groundwater monitoring well that was used during the 2004-2009 remedial investigation is still on-site?
3. Do you know if the drinking water well is still on-site? If so, has there been sampling of that well?
 - If there has been sampling, please provide the results from the latest sampling event.
 - If the drinking water well has not been sampled, please make arrangements to either have the drinking water well sampled for DRO (by AK Method 102) and BTEX (by method EPA 824), OR to have the drinking water well decommissioned **as soon as possible**. For proper decommissioning of the well you must contact ADEC's Wastewater Program at (907) 451-2177. Please notify ADEC if the drinking water well has already been decommissioned.
4. Please sign and return **Attachment A: Cleanup Complete-ICs Agreement and Signature Page** to ADEC within 30 days of receipt of this letter.

In addition to the drinking water and monitoring well requirements, please be advised that the following Institutional Controls as established in the 2009 Cleanup Complete Determination-Institutional Controls continue to apply:

- Any future change in land use may impact exposure assumptions cited in the Cleanup Complete Determination-Institutional Controls 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 current landowner shall report to ADEC every year to document land use, or report 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 submitted electronically to CS.Submittals@alaska.gov.
- The migration of vapors to indoor air may pose a risk at this site, and indoor air quality has not been evaluated. The vapor intrusion pathway shall be evaluated/mitigated when (or if) the residence is occupied in the future. An applicable workplan must be submitted to and approved by ADEC.
- Installation of new groundwater wells will require approval from ADEC in accordance with 18 AAC 75.325 – 380. **Groundwater must not be used as a drinking water source.**
- If the contaminated soil remaining on site becomes accessible or is determined to pose a risk in the future, a plan to address the contamination shall be submitted to ADEC for review and approval.
- Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 75.325 (i).
- Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

June 12, 2017

The ADEC is concerned that the site conditions may not be 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 **July 12, 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,

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 Control Unit

Encl: Attachment A: Cleanup Complete-ICs Agreement and Signature Page
2009 Cleanup Complete Determination-Institutional Controls
2009 Recorded Deed Notice

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

Ernst Boyd & Hai Feng Li agree to the terms and conditions of the Cleanup Complete with ICs Determination, as stated in the decision letter dated **June 22, 2009** for the Residence - 685 Indiana Avenue site (File No. 100.38.183/Hazard ID: 4103). 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
Ernst Boyd and/or Hai Feng Li

Date

Printed Name of Authorized Representative, Title
Ernst Boyd and/or Hai Feng Li

Institutional Controls and Conditions

- Any future change in land use may impact the exposure assumptions cited in the Cleanup Complete Determination-Institutional Controls 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 current landowner shall report to ADEC every year to document land use, or report 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 submitted electronically to CS.Submittals@alaska.gov.
- The on-site drinking water well must either be sampled annually for DRO (by AK Method 102) and BTEX (by method EPA 524) and demonstrated to be free of petroleum contamination for three (3) consecutive annual sampling events or decommissioned. For proper decommissioning of the well you must contact ADEC's Wastewater Program at (907) 451-2177.
- The migration of vapors to indoor air may pose a risk at this site, and indoor air quality has not been evaluated. The vapor intrusion pathway shall be evaluated/mitigated when (or if) the residence is occupied in the future. An applicable workplan must be submitted to and approved by ADEC.
- Installation of new groundwater wells will require approval from ADEC in accordance with 18 AAC 75.325 – 380. Groundwater must not be used as a drinking water source.
- The monitoring well, if not intended for future use, must be decommissioned in accordance with ADEC guidance in accordance to 18 AAC 75.345(j).
- If the contaminated soil remaining on site becomes accessible or is determined to pose a risk in the future, a plan to address the contamination shall be submitted to ADEC for review and approval.
- Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 75.325 (i).
- 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.