



Termination of Notice of Environmental Contamination

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

Grantee: Carl Hoover
P.O. Box 304
Skagway, AK 99840

Legal Description: 475 B 7th Avenue, Skagway, AK 99840
Township of Skagway, Block 6, Lots 5 and 6

Recording District: Skagway

Return to: Danielle Duncan
CS Project Manager
Division of Spill Prevention and Response
Department of Environmental Conservation
410 Willoughby Ave., Ste. 302
P.O. Box 111800
Juneau, AK 99811-1800
907-465-5207

State Business- No Charge

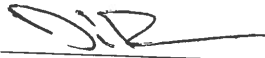
TERMINATION OF NOTICE OF ENVIRONMENTAL CONTAMINATION

This Termination of Notice of Environmental Contamination applies to the property located at 475 B 7th Avenue, Skagway, Alaska 99840, and more particularly described as:

Township of Skagway, Block 6, Lots 5 and 6,

and serves to terminate the former Notice of Environmental Contamination (NEC), dated June 24, 2014 (ref #: 2014-000083-0). A Cleanup Complete Determination was made by the ADEC on August 10, 2018 following environmental cleanup and remediation of the site in accordance with 18 AAC 75. The site has been closed and is suitable for unrestricted use. The Cleanup Complete Determination and original NEC are attached to this Termination of Notice of Environmental Contamination.

For more information on the formerly contaminated site in this notice, please see ADEC Contaminated Sites Program file number 1526.38.015 for the site named Residence - 475B 7th Avenue.



Signature of Authorized ADEC Representative



Date



Printed Name of Authorized ADEC Representative



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2014-000083-0

Recording District 111 Skagway

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Notice of Environmental Contamination

Grantor: Alaska Department of Environmental Conservation-Contaminated Sites Program

Grantee:
Darlene Hoover
P.O. Box 304
Skagway, AK 99840

Legal Description: 475 B 7th Avenue, Skagway, AK 99840

Recording District: Skagway

Return to: Danielle Duncan
CS Project Manager
Division of Spill Prevention and Response
Department of Environmental Conservation
410 Willoughby Ave., Ste. 302
P.O. Box 111800
Juneau, AK 99811-1800
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State Business- No Charge



NOTICE OF ENVIRONMENTAL CONTAMINATION

Recording District: Juneau
Official State Business -- No Charge

As required by the Alaska Department of Environmental Conservation (ADEC), Grantor, pursuant to 18 AAC 75.375 b (3), Darlene Hoover, Grantee, as the owner [and operator] of the subject property, hereby provides public notice that the property located at:

475 B 7th Avenue, Skagway, AK 99840

has been subject to a discharge or release, regulated under 18 AAC 75, Article 3, as revised April 8, 2012. This release is 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 Hazard ID number 25184.

On September 10, 2007, a pollution incident at 475 B 7th Avenue, Skagway, AK, was reported to the ADEC by the Skagway fire chief. Reportedly, heating oil was removed from a tank and stored in trash barrels and left exposed to the rain. Rain displaced approximately 80 gallons of heating fuel and may have impacted neighboring properties. Numerous attempts were made to contact the property owner and engage him in cleanup efforts at that time, however, no further characterization or cleanup was completed according to ADEC records.

Due to the incomplete characterization and cleanup work at this site as required under 18 AAC 75, exposure risks to human health and the environment are determined to be present.

Until comprehensive site characterization and cleanup occurs at this site, it will remain in open status in the Contaminated Sites database. In addition, the property is subject to restrictions that ensure contamination left onsite remains undisturbed and to alert all current and future occupants and owners of the property of the contamination, until such time as a cleanup effort is initiated with prior approval from DEC.

The property is subject to the following conditions in order to ensure human health is protected until such time that a cleanup can be completed. These conditions, known as institutional controls per 18 AAC 75.375 a (2), consist of the following:

1. Notice Required for any Change in Land Ownership or Land Use
If land ownership or zoning of the property changes, the owner or operator of the property is required to notify the DEC as soon as these changes occur.
2. No Offsite Transport of Contaminated Material
Any proposal to transport soil or groundwater off-site requires DEC approval in accordance with 18 AAC 7.325(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.



3. Contamination of Surface Water Prohibited

Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

4. Groundwater Use Restriction

The domestic groundwater well located on site shall not be used for drinking water purposes due to possible contamination from the heating oil spill that occurred on this property.

This Notice of Environmental Contamination shall be attached to the property as a deed notice and will remain in effect until site characterization and cleanup efforts have been performed to the satisfaction of ADEC and the department has issued a written determination that soil and groundwater at the site has been shown to meet the most stringent soil cleanup levels in method two of 18 AAC 75.340-345.

For more information on the contaminated site in this Notice of Environmental Contamination, please see ADEC Contaminated Sites Program file number (1526.38.015) for the site named (Residence 475B 7th Avenue, Skagway).



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Darlene Hoover agrees to the terms and conditions of the Institutional Controls as stated in the DEC letter and property deed notice dated April 28, 2014 and filed with Alaska Department of Natural Resources Recorder's Office, concerning the (site).

DLD

Signature of Authorized ADEC Representative

5-11-14

Date

Darlene Hoover

Signature of Darlene Hoover

6/11/14

Date

For your info - I still do not have title to this property - It is still in probate (2) (Correct word) & our attorney, Bob Spitzfaden is still trying to get a court date -

Darlene Hoover

Also - the building you are showing on the right "Toys exhaust is not ~~our~~ our property -





THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of
Environmental Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

410 Willoughby Avenue, Suite 303
P.O. Box 111800
Juneau, AK 99811-1800
Phone: 907-465-5390
Fax: 907-465-5218
www.dec.alaska.gov

File: 1526.38.015

August 10, 2018

Sent via electronic mail only

Carl Hoover
P.O. Box 304
Skagway, AK 99840

Re: Decision Document: Residence - 475B 7th Avenue
Cleanup Complete Determination

Dear Mr. Hoover:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (ADEC) has completed a review of the environmental records associated with the Residence - 475B 7th Avenue located at 475B 7th Avenue, Skagway. Based on the information provided to date, it has been determined that the contaminant concentrations remaining on site do not pose an unacceptable risk to human health or the environment and no further remedial action will be required unless new information becomes available that indicates residual contaminants may pose an unacceptable risk.

This Cleanup Complete determination is based on the administrative record for the 475B 7th Avenue site, which is located in the ADEC office in Juneau, Alaska. This decision letter summarizes the site history, cleanup actions and levels, and standard site closure conditions that apply.

Site Name and Location:

475B 7th Avenue
475B 7th Avenue
Skagway, AK 99840

Name and Mailing Address of Contact Party:

Carl Hoover
P.O. Box 304
Skagway, AK 99840

DEC Site Identifiers:

File No.: 1526.38.015
Hazard ID.: 25184

Regulatory Authority for Determination:

18 AAC 75



Site Description and Background

The site is located at 475 B 7th Avenue in Skagway. It is residential with a single wide modular home on site. There was an aboveground storage tank (AST) of unknown volume located about 15 feet (ft.) from the residence which supplied heating oil. On September 10, 2007, a pollution incident at the residence was reported to the ADEC by the Skagway fire chief. Reportedly, heating oil was removed from a tank and stored in trash barrels and left exposed to the rain. Rain displaced approximately 80 gallons of heating fuel. A Notice of Environmental Contamination (NEC) was placed on the property on May 12, 2014. This Cleanup Complete Determination will be filed at the Juneau Recorder's Office to accompany the NEC and provide documentation of the cleanup action.

Contaminants of Concern

During the site characterization and cleanup activities at this site, samples were collected from soil and analyzed for diesel range organics (DRO), gasoline range organics (GRO), benzene, toluene, ethylbenzene, and xylenes (BTEX), polycyclic aromatic hydrocarbons (PAHs), and volatile organic compounds (VOCs). Neither groundwater nor surface water were affected by the spill. Based on these analyses, the following contaminant was detected above the applicable cleanup level and is considered a Contaminant of Concern at the site:

- DRO

Cleanup Levels

The migration to groundwater soil cleanup level for the under-40 inch precipitation zone for DRO established in 18 AAC 75.340, Table B2 applies to the site because groundwater is present in the Skagway area.

Table 1 – Approved Cleanup Levels

Contaminant	Soil (mg/kg)
DRO	250

mg/kg = milligrams per kilogram

Characterization and Cleanup Activities

Characterization and cleanup activities conducted under the regulatory authority of the Contaminated Sites Program began in 2008 after the spill was transferred from the ADEC Prevention, Preparedness, and Response Program. A site assessment was completed in July 2017. This work is documented in the *Site Assessment Report 475 B 7th Avenue Skagway, Alaska* dated September 25, 2017, prepared by Nortech Inc. on your behalf.

Nortech advanced seven soil borings in the area of the petroleum release at 1-2 ft. belowground. Soil from the base of each boring was field screened using a photoionization detector (PID). Two analytical samples and a duplicate were collected and analyzed for DRO, GRO, BTEX, and PAHs. Sample CZ-01 was collected from beneath the AST and sample CZ-06 was collected near the neighboring fence line. These were selected because they had the highest field screening results. Both of the samples had DRO above the ADEC cleanup level of 250 milligrams per kilogram (mg/kg). Sample CZ-01 had a concentration of 8,300



mg/kg and CZ-06 had a concentration of 530 mg/kg. The PAH and BTEX results were all below ADEC cleanup levels.

Nortech completed an excavation of the contaminated soil; this work was documented in the *Corrective Action Report* dated July 20, 2018. The report documented the results of the excavation of petroleum contaminated soil guided by a PID. Nortech excavated approximately one cubic yard of petroleum contaminated soil to a depth of 2.8 ft. where groundwater was not encountered. The excavation surface area was 80 square ft. and the contamination did not extend off the property. The contaminated soil was taken to Bicknell Inc. for remediation. Six confirmation soil samples were collected from the base and sidewalls of the excavation. These were analyzed for DRO, GRO, and VOCs. One sample with the highest PID reading was also analyzed for PAHs. The results were below ADEC cleanup levels for all contaminants.

Cumulative Risk Evaluation

Pursuant to 18 AAC 75.325(g), when detectable contamination remains on-site following a cleanup, a cumulative risk determination must be made that the risk from hazardous substances does not exceed a cumulative carcinogenic risk standard of 1 in 100,000 across all exposure pathways and does not exceed a cumulative noncarcinogenic risk standard at a hazard index of one across all exposure pathways. Although DRO is not used in this calculation, based on a review of the environmental record, ADEC has determined that residual contaminant concentrations meet the human health cumulative risk criteria for residential land use.

Exposure Pathway Evaluation

Following investigation and cleanup at the site, exposure to the remaining contaminant was evaluated using ADEC's Exposure Tracking Model (ETM). Exposure pathways are the conduits by which contamination may reach human or ecological receptors. ETM results show all pathways to be one of the following: De-Minimis Exposure or Pathway Incomplete. A summary of this pathway evaluation is included in Table 2.



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Table 2 – Exposure Pathway Evaluation

Pathway	Result	Explanation
Surface Soil Contact	De-Minimis Exposure	Contamination below migration to groundwater and human health cleanup levels may be present in surface soil (0 to 2 feet below ground surface).
Sub-Surface Soil Contact	De-Minimis Exposure	Contamination remains in the sub-surface, but is below migration to groundwater and human health cleanup levels.
Inhalation – Outdoor Air	De-Minimis Exposure	Contamination remains in the sub-surface, but is below inhalation cleanup levels.
Inhalation – Indoor Air (vapor intrusion)	Pathway Incomplete	Remaining contamination is not located beneath the residence and is not expected to affect indoor air.
Groundwater Ingestion	Pathway Incomplete	Contamination did not affect groundwater.
Surface Water Ingestion	Pathway Incomplete	Surface water was not affected by contamination.
Wild and Farmed Foods Ingestion	Pathway Incomplete	Contaminants of concern do not have the potential to bioaccumulate in plants or animals.
Exposure to Ecological Receptors	Pathway Incomplete	Contamination did not affect ecological receptors.

Notes to Table 2: “De-Minimis Exposure” means that in ADEC’s judgment receptors are unlikely to be adversely affected by the minimal volume or concentration of remaining contamination. “Pathway Incomplete” means that in ADEC’s judgment contamination has no potential to contact receptors. “Exposure Controlled” means there is an institutional control in place limiting land or groundwater use and there may be a physical barrier in place that prevents contact with residual contamination.

ADEC Decision

Soil contamination at the site has been cleaned up to concentrations below the approved cleanup level suitable for residential land use. This site will receive a “Cleanup Complete” designation on the Contaminated Sites Database, subject to the following standard conditions.

Standard Conditions

1. 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.
2. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
3. Groundwater throughout Alaska is protected for use as a water supply for drinking, culinary and food processing, agriculture including irrigation and stock watering, aquaculture, and industrial use. Contaminated site cleanup complete determinations are based on groundwater being considered a potential drinking water source. In the event that groundwater from this site is to be



used for other purposes in the future, such as aquaculture, additional testing and treatment may be required to ensure the water is suitable for its intended use.

This determination is in accordance with 18 AAC 75.380 or and does not preclude ADEC from requiring additional assessment and/or cleanup action if future information indicates that contaminants at this site may pose an unacceptable risk to human health, safety, or welfare or to the environment.

Appeal

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Division Director, 555 Cordova Street, Anchorage, Alaska 99501-2617, within 15 days after receiving the department's decision reviewable under this section. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, Alaska 99811-1800, within 30 days after the date of issuance of this letter, or within 30 days after the department issues a final decision under 18 AAC 15.185. If a hearing is not requested within 30 days, the right to appeal is waived.

If you have questions about this closure decision, please feel free to contact me at (907) 465-5207, or email at danielle.duncan@alaska.gov.

Sincerely,



Danielle Duncan
Project Manager

cc: Spill Prevention and Response, Cost Recovery Unit



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