THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

P.O. Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5250
Fax: 907.465.5245
www.dec.alaska

12/14/2018

File: 1525.38.003

Certified Mail, Return Receipt Requested
Article No. 7017 2400 0000 6054 9920

Observatory LLC
PO Box 1785
Sitka, AK 99835

Re: Institutional Controls (ICs) Verification for:
Residence located at 214 Observatory Street

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 the property known in the Alaska Department of Environmental Conservation's (ADEC) records as Residence – Observatory Street HHOT as a site with institutional controls.

As the current owner of the property you should be aware that there are ongoing obligations for this site.

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 2003 No Further Remedial Action Planned granted by the ADEC. At the time of closure, contaminated soil was documented as remaining on the property. The contamination is from a release of 500-900 gallons of heating oil from an above ground tank in 2001.

Policy and regulations have evolved since this site was closed with conditions in 2003. Please be advised that the Residence – Observatory Street HHOT site is subject to the following standard and site-specific conditions and/or institutional controls:

1. Any future change in land use may impact the exposure assumptions cited in the 2003 NFRAP document. If land use and/or ownership changes, current institutional controls may now be protective and ADEC may require additional remediation and/or institutional controls. Therefore, Observatory LLC will report to ADEC every three years to document land use, or as soon as Observatory LLC becomes aware of any change in land ownership and/or use. The report can be sent to the local ADEC office or submitted electronically to CS.Submittals@alaska.gov.
2. ADEC approval is required prior to moving any soil off any site that is subject to the site cleanup rules [see 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. In the future, if soil will be excavated it must be characterized and managed following regulations applicable at that time and ADEC approval must be obtained before moving the soil off the property. *This is a standard condition*.

3. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited. *This is a standard condition.*
4. 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 characterization and treatment may be required to ensure the water is suitable for its intended use. *This is a standard condition*.

In addition to the conditions above, you are required to notify the ADEC if there are any changes in land use or ownership. 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 through ADEC's online database record at: http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/3277

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

Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Encl: 2003 No Further Remedial Action Planned

Note: In the interest of reducing file space, the Division of SPAR/Contaminated Sites Program has transitioned 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.

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12/14/2018

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3277

1525.38.003

Res. Observatory St. (Eitha) HHOT

Sent To
Observatory LLC

Street and Apt. No., or PO Box No.
PO Box 1785

City, State, ZIP+4®
Sitka, AK 99835

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. 12/14/18

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Observatory LLC
PO Box 1785
Sitka, AK 99835

9590 9402 3742 7335 2011 00

2. Article Number *(Transfer from service label)*
7017 2400 0000 6054 9920

COMPLETE THIS SECTION ON DELIVERY

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X M Parsons
☒ Agent
☐ Addressee

B. Received by *(Printed Name)* M. PARSONS
C. Date of Delivery 12-20-18

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PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt