



Notice of Environmental Contamination and Institutional Controls

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

Grantee: Orrie Bell
P.O. Box 1609
Petersburg, AK 99833

Legal Description: Lots 2 & 3, Block 5, Tract A, USS 2010
City of Port Alexander

Recording District: Petersburg

Return to: Kara Kusche
Department of Environmental Conservation
Division of Spill Prevention and Response
Contaminated Sites Program
555 Cordova Street
Anchorage, AK 99501

State Business- No Charge

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APR 15 2019

Department of
Environmental Conservation

NOTICE OF ENVIRONMENTAL CONTAMINATION AND INSTITUTIONAL CONTROLS

As required by the Alaska Department of Environmental Conservation, pursuant to 18 AAC 75.375 Orrie Bell, the Landowner of the subject property, hereby provides public notice that the property located at: City of Port Alexander, Alaska, 99836 and more particularly described as follows:

Lots 2 & 3, Block 5, Tract A, USS 2010
City of Port Alexander, AK

has been subject to a discharge or release and subsequent cleanup of oil or other hazardous substances, regulated under 18 AAC 75, Article 3. This release and cleanup are documented in the Alaska Department of Environmental Conservation (ADEC) contaminated sites database at <http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search> under the site name Pelican Seafoods – Port Alexander and Hazard ID number (2545).

By signing this notice, ADEC and the Landowner have agreed that the institutional controls described below are necessary and appropriate, and shall be maintained and be binding on the Landowner and its agents, successors and assigns. If the Landowner transfers, sells, assigns, leases or subleases the property or any portion of the property covered by the institutional controls, the Landowner shall incorporate a copy of this notice into the documents of transfer, sale, assignment, lease or sublease.

ADEC has reviewed and approved, subject to the institutional controls described below, the cleanup as protective of human health, safety, welfare, and the environment. No further cleanup is necessary at this site as long as the institutional controls remain in place and effective and no new information becomes available that indicates to ADEC that the site may pose an unacceptable risk to human health, safety, welfare, or the environment.

ADEC determined, in accordance with 18 AAC 75.325 – .390 site cleanup rules, that cleanup has been performed to the maximum extent necessary even though residual fuel-contaminated soil and groundwater exists on-site. Further cleanup was determined to be unnecessary because the remaining contaminated soil and groundwater is steady state or decreasing and institutional controls will prevent exposure.

The following institutional controls and standard conditions shall be maintained:

Institutional Controls

1. The Landowner agrees to notify ADEC prior to any sale or transfer of the property and shall report to ADEC every 5 years to document the status of compliance with the institutional controls described in this notice. Such notice and the reports should be sent to the ADEC at:

Alaska Department of Environmental Conservation
Division of Spill Prevention and Response



Contaminated Sites Program
Attention: IC Unit
P.O. Box 111800
Juneau, AK 99811-1800
or be submitted electronically to CS.Submittals@alaska.gov.

2. No groundwater wells shall be installed in the area covered by the institutional controls without prior ADEC approval.
3. A Notice of Environmental Contamination and Institutional Controls (NEC-IC) has been recorded in the records for this property maintained by the Alaska Department of Natural Resources. The NEC outlines these ICs and also the standard conditions noted below.
4. ADEC must be notified in advance of the subdivision or replat of the property associated with these institutional controls. This recorded NEC-IC must be included as part of future property transactions and attached to subsequent associated parcels.

Standard Conditions

5. ADEC approval is required prior to moving any soil or groundwater 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 (or groundwater will be brought to the surface (for example to dewater in support of construction) it must be characterized and managed following regulations applicable at that time and ADEC approval must be obtained before moving the soil or water off the property.
6. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
7. 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.

Attached is a site survey drawn to scale that shows the property boundaries, locations of existing structures, the area that has been cleaned up, the approximate location and extent of remaining soil and groundwater contamination which is subject to the institutional controls described in this notice, and the locations where confirmation soil samples were collected.



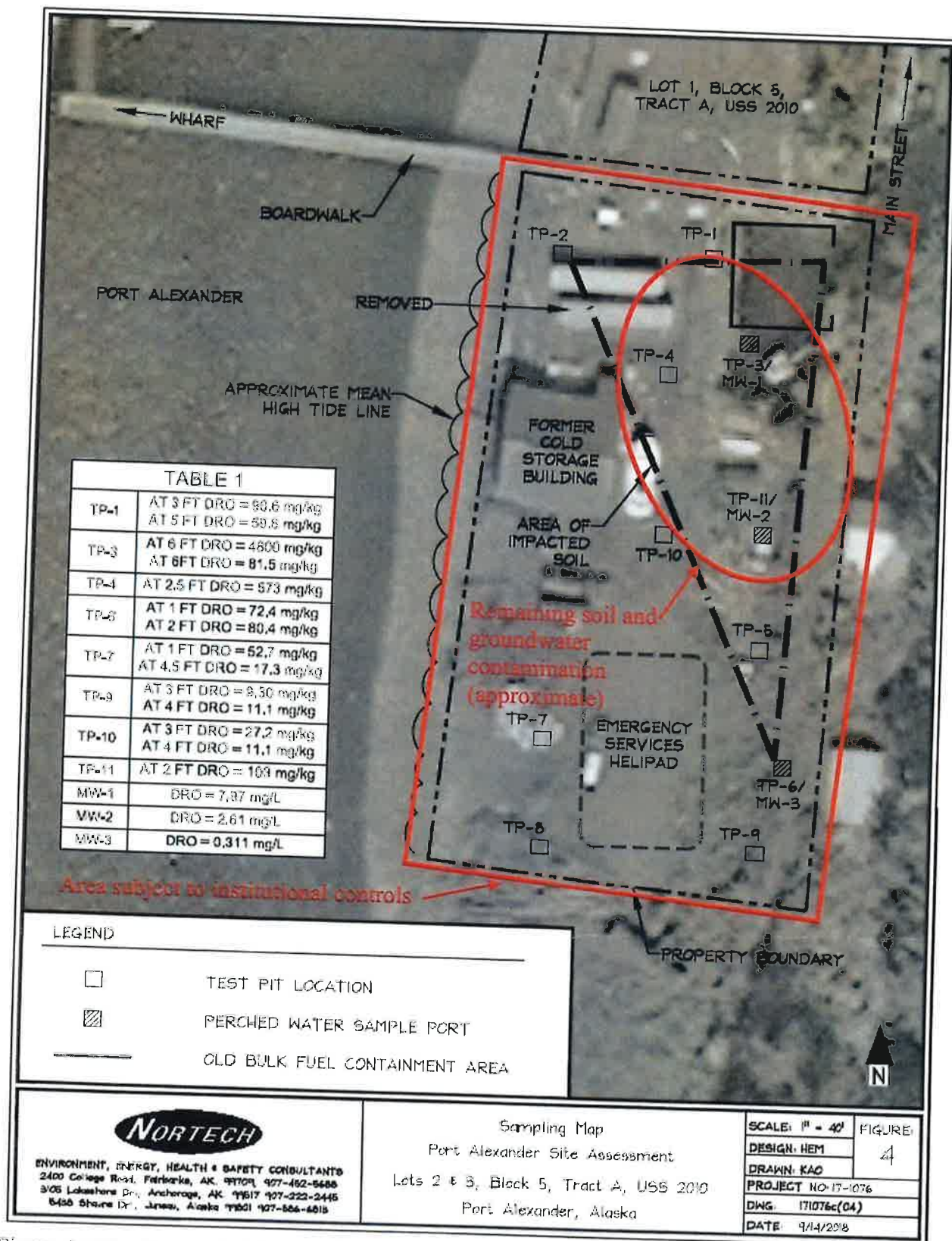


Figure 1: Site plan copied from NORTECH Site Assessment Report dated September 24 2018.



Failure to comply with the institutional controls described herein may result in ADEC reopening the site and requiring additional site characterization and cleanup.

In the event that new information becomes available which indicates that the site may pose an unacceptable risk to human health, safety, welfare or the environment, further site characterization and cleanup may be necessary under 18 AAC 75.325-390.

This notice and the institutional controls remain in effect until a written determination from ADEC is recorded that documents contaminants remaining at the site have been shown to meet the residential use soil cleanup levels defined in 18 AAC 75.340 and groundwater cleanup levels in Table C within 18 AAC 75.345.

For more information on the contaminated site in this notice, please see ADEC Contaminated Sites Program file number 1523.38.001 for the site named Pelican Seafoods – Port Alexander.

Orlando B Bell pres.
Signature of Landowner

3/7/19
Date

Orlando B Bell
Printed Name of Landowner

Kara Kusche
Signature of Authorized ADEC Representative

3/11/2019
Date

Kara Kusche
Printed Name of Authorized ADEC Representative

