



## Department of Environmental Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE Contaminated Sites Program

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File: 1523.38.001

February 12, 2019

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

#### Re: Decision Document: Pelican Seafoods – Port Alexander Cleanup Complete Determination – Institutional Controls

Dear Mr. Bell:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (ADEC) has completed a review of the environmental records associated with the Pelican Seafoods – Port Alexander located at Port Alexander, Alaska. 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 as long as the institutional controls are maintained and effective and no new information becomes available that indicates residual contamination poses an unacceptable risk.

This Cleanup Complete with Institutional Controls (ICs) determination is based on the administrative record for Pelican Seafoods – Port Alexander which is located in the offices of the ADEC in Anchorage, Alaska. This decision letter summarizes the site history, cleanup actions, regulatory decisions, and specific conditions required to effectively manage remaining contamination at this site.

# Site Name and Location:

Pelican Seafoods – Port Alexander Lots 2 & 3, Block 5, Tract A, USS 2010 Port Alexander, AK 99836

**DEC Site Identifiers:** File No.: 1523.38.001 Hazard ID.: 2545 Name and Mailing Address of Contact Party: Mr. Orrie Bell P.O. Box 1609 Petersburg, AK 99833

**Regulatory Authority for Determination:** 18 AAC 75

#### Site Description and Background

The site consists of Lots 2 & 3 on a small peninsula that forms the east shore of Port Alexander at the south end of Baranof Island, Alaska. The site and adjacent properties were utilized prior to 1990 for commercial fish processing and cold storage. The local terrain is undulating with a gradual rise in slope from the shore westward to the base of a low hill.

#### Figure 1 – Lot Location Map



## Figure 2 – Site Map



A 1994 environmental investigation of the property indicated elevated levels of petroleum hydrocarbons. It is considered to be a historical diesel spill of unknown quantity. Specific nature and timing of the release are unknown.

## **Contaminants of Concern**

During the site investigation and cleanup activities at this site, samples were collected from soil and groundwater. Soil was analyzed for diesel range organics (DRO), tricholoroethane (TCE), tetrachloroethane (PCE), chromium and polycyclic aromatic hydrocarbons (PAHs), while groundwater was analyzed for DRO, gasoline range organics (GRO) with benzene, toluene, ethylbenzene, xylenes (BTEX) distinction. Based on these analyses, the following contaminants were detected above the applicable cleanup levels and are considered Contaminants of Concern at this site:

- Diesel Range Organics (DRO) (soil and groundwater)
- Gasoline Range Organics (GRO) (groundwater)
- Ethylbenzene (groundwater)
- Xylenes (groundwater)

## **Cleanup Levels**

Diesel range organics (DRO) were detected in soil above the approved Method 2 migration to groundwater (MTG) cleanup levels for the over 40-inch precipitation zone, established in 18 AAC 75.341 (d), Table B2.

DRO, GRO, ethylbenzene and xylenes were detected in groundwater above the approved cleanup levels established in 18 AAC 75.345, Table C.

## Table 1 – Approved Cleanup Levels

Contaminant	Soil (mg/kg)	Groundwater (mg/L)
DRO	230 <sup>1</sup>	1.5
GRO	N/A	2.2
Ethylbenzene	N/A	.015
Xylenes	N/A	.19

mg/L = milligrams per liter

<sup>1</sup> –MTG pathway, Method 2, Over 40 Inch Zone

N/A = Not Applicable

## **Characterization and Cleanup Activities**

Characterization and cleanup activities conducted under the regulatory authority of the Contaminated Sites Program began in 1994. These activities are described below.

In 1994, Pelican Seafoods retained Hart Crowser to assess the environmental status of their property. The site's soil was field screened for volatile organics and petroleum hydrocarbons. Six out of 24 collected soil samples were selected for laboratory analysis. All samples were analyzed for diesel range organics (DRO) and one sample was also analyzed for halogenated volatile organics (HVO) and RCRA/TCLP metals due to its association with a site area reported to have historically used for waste oil storage. The results of the

investigation indicated elevated levels of petroleum hydrocarbons present in the central portion of the site (a triangular area extending south of the bulk fuel storage containment to former building number 6 and east to the powerhouse). Specific quantity, nature and timing of the release are unknown. Soil contamination existed at the site and the adjacent northern lot (also owned by Pelican Seafoods at the time) in concentrations above ADEC Method 2 Soil Cleanup Levels. Soil concentrations of diesel range organics (DRO) ranged from 920 to 17,000 mg/kg. Trichloroethane (TCE) and tetrachloroethane (PCE) were also detected at 6.7  $\mu$ g/kg and 28  $\mu$ g/kg respectively. Chromium was detected at 23 mg/kg. Hart Crowser estimated that the total volume of contaminated soil at the site is about 2,200 cubic yards within an oval measuring roughly 240 feet by 130 feet with an average soil depth of 2.5 feet. Following the receipt of the Hart Crowser report, the site was entered into the ADEC Contaminated Sites database on February 26, 1995.

Hart Crowser performed groundwater sampling at the site between September 4 -9, 1996. Eight wells were installed to investigate groundwater conditions near the former bulk diesel fuel storage site where petroleum hydrocarbons were previously detected in soil. DRO was detected in all of the wells sampled ranging from 0.68 to 287 mg/L. GRO was detected in three of the wells in concentrations ranging from 0.504 to 5.83 mg/L. One of the wells was also contaminated with ethylbenzene at 0.042 mg/L and xylenes at 0.209 mg/L. Hart Crowser concluded that the groundwater in the area associated with the former fuel storage area was contaminated with petroleum hydrocarbons above ADEC Table C Groundwater Cleanup Levels. At the time groundwater was determined to flow westerly and contamination did not appear to impact the marine environment at Port Alexander.

Pelican Seafoods requested that ADEC grant No Further Action status to the site due to its remote nature. ADEC denied the request in April 1997. In September 1997, Pelican Seafoods sold Lots 2 and 3, along with several other surrounding properties to the current owner, Mr. Orrie Bell. Mr. Bell did not purchase the adjacent northern lot from Pelican Seafoods.

On January 21, 2016, ADEC filed a Notice of Environmental Contamination (NEC) for the site. The NEC was updated in 2017 to correct the site's legal description. Mr. Bell retained NORTECH Environmental, Health & Safety (NORTECH) to complete environmental investigation activities. On behalf of Mr. Bell, NORTECH submitted a Sampling and Analysis Plan to ADEC on February 27, 2018 and it was approved on April 3, 2018.

On May 14-15, 2018, NORTECH conducted delineation and characterization activities at the site. Thirteen primary and two duplicate soil samples were collected and three groundwater sampling ports were installed for sample collection. Soil samples were analyzed for DRO, GRO and VOCs. One primary and one duplicate sample were also analyzed for PAHs. Soil sample analysis indicated areas of the site are still above ADEC Method 2 MTG cleanup levels for DRO. DRO concentrations have likely decreased due to natural attenuation over time from maximum concentrations of 17,000 mg/Kg in 1994 to 4,800 mg/Kg in 2018. NORTECH estimates that of the 2,200 cubic yards of contaminated soil estimated by Hart Crowser, 500 cubic yards now remains at the site. Groundwater samples from MW-1/MW-100 and MW-2 in the northeast portion of the site still have DRO concentrations above 18 AAC 75 Table C Groundwater cleanup levels. DRO concentrations in groundwater have likely decreased due to natural attenuation over time from maximum concentrations above 18 AAC 75 Table C Groundwater cleanup levels. DRO concentrations in groundwater have likely decreased due to natural attenuation over time from maximum concentrations of 287 mg/L in 1995 to 7.97 mg/L in 2018.

The soil and groundwater contamination has been fully delineated and does not have any off site impacts. The slope to the east of the property acts as a contaminant migration barrier. Groundwater and soil contamination has been shown to be decreasing over time.

Groundwater is not utilized by the town of Port Alexander and the site is located across Chatham Straight and downgradient from the nearest ADEC Drinking Water Protection Zone. Neither private nor public drinking wells are documented in the community.

The highest concentrations remaining at the site above current cleanup levels following completion of cleanup and monitoring are listed in Table 2 below.

#### Table 2 – Highest concentrations remaining at the site above current cleanup levels

Contaminant	Soil (mg/kg)	Groundwater (mg/L)
DRO	4800	7.97

## 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.

Based on a review of the environmental record, ADEC has determined that residual contaminant concentrations meet the cumulative risk criteria for human health.

#### **Exposure Pathway Evaluation**

Following investigation and cleanup at the site, exposure to the remaining contaminants 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: Exposure Controlled or Pathway Incomplete. A summary of this pathway evaluation is included in Table 3.

Pathway	Result	Explanation
Surface Soil Contact	Pathway	Contamination is not present in surface soil (0 to 2
	Incomplete	feet below ground surface).
Sub-Surface Soil Contact	Pathway	Contamination remains in the sub-surface, but is
	Incomplete	below direct contact cleanup levels.
Inhalation – Outdoor Air	Pathway	Contamination remains in the sub-surface, but is
	Incomplete	below inhalation cleanup levels.
Inhalation – Indoor Air (vapor	Pathway	Volatile contaminants meet most stringent cleanup
intrusion)	Incomplete	levels.
Groundwater Ingestion	Exposure	Residual groundwater contamination is still present.
	Controlled	There are no nearby drinking water wells and
		drinking water is via a public utility. A NEC-IC has
		been recorded restricting installation of water wells
		without prior ADEC approval.
Surface Water Ingestion	Pathway	Surface water is not used as a drinking water source
	Incomplete	in the vicinity of the site.

## Table 3 – Exposure Pathway Evaluation

Wild and Farmed Foods	Pathway	Contaminants of concern do not have the potential
Ingestion	Incomplete	to bioaccumulate in plants or animals.
Exposure to Ecological	Pathway	Contamination is not affecting ecological receptors.
Receptors	Incomplete	
-	-	

**Notes to Table 2:** "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**

Petroleum contamination remains in sub-surface soil and groundwater above levels suitable for unrestricted future use; however ADEC has approved the use of institutional controls to limit potential future exposure and risk to human health or the environment. No further cleanup is necessary at this site as long as the institutional controls remain in place, the controls are 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. A Notice of Environmental Contamination and Institutional Controls (NEC-IC) has been recorded in the land records maintained by the Alaska Department of Natural Resources and a copy is attached to this letter.

Institutional controls necessary to support this closure determination include:

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 <u>CS.Submittals@alaska.gov</u>.

- 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 site closure conditions that apply to all sites include:

1. ADEC approval is required prior to moving any soil or groundwater off any site that is, or has been, subject to the site cleanup rules (see 18 AAC 75.325(i). A "site" as defined by 18 AAC 75.990 (115)

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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.

- 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 characterization and treatment may be required to ensure the water is suitable for its intended use.

ADEC has determined the cleanup is complete as long as the institutional controls are properly implemented and no new information becomes available that indicates residual contamination may pose an unacceptable risk.

The ADEC Contaminated Sites Database will be updated to reflect the change in site status to "Cleanup Complete with Institutional Controls" and will include a description of the contamination remaining at the site.

The institutional controls will be removed in the future if documentation is provided that shows concentrations of all residual hazardous substances remaining at the site are below the levels that allow for unrestricted exposure to, and use of, the contaminated media and that the site does not pose a potential unacceptable risk to human health, safety or welfare, or to the environment. Standard conditions above will remain in effect after ICs are removed.

This determination is in accordance with 18 AAC 75.380 and does not preclude ADEC from requiring additional assessment and/or cleanup action if the institutional controls are determined to be ineffective or if new information indicates that contaminants at this site may pose an unacceptable risk to human health or 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 20 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) 269-7530 or email at kara.kusche@alaska.gov.

Sincerely,

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Kara Kusche Project Manager

Note: This letter is being transmitted to you in electronic format only. If you require a paper copy, let us know and we will be happy to provide one to you. In the interest of reducing file space, the Division of SPAR/Contaminated Sites Program is transitioning to electronic transmission of project correspondence.

Enclosures: Recorded NEC-IC Agreement which includes site figure showing the extent of residual soil and groundwater contamination and boundaries of areas covered by ICs.

cc: Spill Prevention and Response, Cost Recovery Unit Jennifer Stoutamore, NORTECH, jstoutamore@nortechengr.com Jason Ginter, NORTECH, jginter@nortechengr.com