



# Department of Environmental Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE Contaminated Sites Program

> 555 Cordova Street Anchorage, AK 99501 Phone: 907-269-7503 Fax: 907-269-7687 www.dec.alaska.gov

File: 2616.38.002

May 3, 2019

Jan Supler President/CEO Wards Cove Company Sole Member of Wards Cove Holdings, LLC 10740 Meridian Ave. N. Suite 210 Seattle, WA. 98133

Re: Decision Document: Delta Western Tank Farm - Naknek Cleanup Complete Determination – Institutional Controls

Dear Mr. Supler:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (DEC) has completed a review of the environmental records associated with the Delta Western Tank Farm – Naknek site located at Mile 0.5 Alaska Peninsula Highway in Naknek. 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 the Delta Western Tank Farm - Naknek site which is located in the offices of the DEC 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:

Delta Western Tank Farm - Naknek Mile 0.5 Alaska Peninsula Highway Naknek, AK 99633

## **DEC Site Identifiers:**

File No.: 2616.38.002 Hazard ID.: 3053 Name and Mailing Address of Contact Party: Jan Supler, President Wards Cove Company 10740 Meridian Ave. N. Suite 210 Seattle, WA 98133

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

## Site Description and Background

The Delta Western Tank Farm – Naknek site is located generally south of the intersection at Trident Drive and Monsen Street in Naknek, Alaska. The tank farm currently consists of 14 tanks and can store a maximum of 1,589,786 gallons of product. The tank farm provides a variety of fuels (diesel, heating oil, gasoline, aviation gas, and jet fuel) to the surrounding community. Tanker ships supply the tank farm with fuel via the Naknek River. The area surrounding the tank farm consists of commercial, industrial, and residential use properties, as well the Naknek River to the immediate south.

Two source areas exist at this site: the "Tank Farm" source area and the "Failed Gasket" source area. The source areas are described separately in the Characterization and Cleanup Activities section of this letter.

# **Contaminants of Concern**

During the site investigation and cleanup activities at this site, samples were collected from soil and groundwater, and were analyzed for gasoline range organics (GRO), diesel range organics (DRO), residual range organics (RRO), polynuclear aromatic hydrocarbons (PAHs), and volatile organic compounds (VOCs). Based on these analyses, DRO and benzene are considered the applicable Contaminants of Concern (COCs) at this site.

# **Cleanup Levels**

Benzene and DRO were identified above the approved Method Two migration-to-groundwater (MTG) cleanup levels for the under 40-inch precipitation zone, established in 18 AAC 75.341, Table B1, and 18 AAC 75.341 (d), Table B2. Benzene was identified in groundwater above Table C groundwater cleanup levels.

Contaminant	Soil - Inhalation (mg/kg)	Soil – Direct Contact (mg/kg)	Soil - MTG (mg/kg)	Groundwater (µg/l)
DRO	12,500	10,250	250	1.5
Benzene	11	150	0.025	4.6

**Legend to Table 1**: mg/kg = milligrams per kilogram; MTG = migration-to-groundwater; DRO = diesel range organics;  $\mu g/l =$  micrograms per liter

# **Characterization and Cleanup Activities**

Two source areas exist at this site: the "Tank Farm" source area and the "Failed Gasket" source area. Both source areas are summarized below.

## Tank Farm Source Area

A site characterization was completed in June of 1998 to assess the environmental impact of the bulk fuel facility. Activities completed as part of the assessment included visual site inspection, collection of surface and subsurface soil samples, and collection of groundwater samples. Six surface soil samples were collected from within the fenced tank farm containment area using hand tools. Twenty-seven (27) subsurface soil samples were collected from 17 soil borings advanced in and around the tank farm, 12 of which were advanced within the fenced area. Water samples were

collected from two of the borings that were completed as monitoring wells (MW-1 and MW-2) and from the onsite drinking water well (DWW).

Except for one surface sample (named Fuel Filter), sample results for DRO within the fenced tank farm area ranged from 320 milligrams per kilogram (mg/kg) to 5,600 mg/kg, all of which exceed the MTG cleanup level of 250 mg/kg, but are below the risk-based direct contact and inhalation cleanup levels of 10,250 mg/kg and 12,500 mg/k, respectively. Sample Fuel Filter, which was collected adjacent to the pump house assembly, exhibited a concentration of DRO at 26,000 mg/kg.

Subsurface soil samples were collected from between 2 and 20 feet below ground surface. Results indicated that DRO and benzene were present at various subsurface depths up to 15,000 mg/kg and 0.045 mg/kg, respectively. However, most of the exceedances were identified in the top four feet of soil. Samples collected from below four feet were generally not detected above MTG soil cleanup levels.

Sample results from Wells MW-1 and MW-2 were below groundwater cleanup levels for DRO and benzene. Well MW-2, the down-gradient well, exhibited a concentration of DRO at 0.42 milligrams per liter (mg/l), which is well below the Table C groundwater cleanup level of 1.5 mg/l.

Not all contamination was bounded vertically in every soil boring, however, results from the June 1998 characterization suggest that contamination is localized and at that time was not impacting groundwater above Table C groundwater cleanup levels.

Well MW-2 was decommissioned in July 2016. Well MW-1 was also planned to be removed but could not be located.

Additional site assessment activities were completed in 2015 as part of a potential lease change or sale. Although these activities were completed in 2015, DEC did not receive the report until 2018, after MW-2 had been decommissioned.

The purpose of the assessment was to evaluate the presence of contamination in and around the tank farm facility from historical contaminant sources. A total of 10 soil borings were advanced at the facility, three of which were converted to monitoring wells (GL-MW-01, GL-MW-02, and GL-MW-03). A well survey was also completed. Except for the water sample collected from Well GL-MW-02, all soil and water samples were below applicable cleanup levels for petroleum constituents. The sample collected from Well GL-MW-02 exhibited a concentration of benzene at 5.28 µg/l, which slightly exceeds the current Table C groundwater cleanup level of 4.6 µg/l. Groundwater was shown to flow south, which is straight toward the Naknek River. One could also infer that the groundwater is influenced to the west, in the direction of river flow.

A temporary well point was installed and sampled downgradient of Well GL-MW-02 in May of 2017 at the toe of the bluff to determine if groundwater was impacted in the intertidal zone. Contaminants were not detected in the sample.

DEC completed a site inspection in May 2018. During the inspection DEC walked through the tank farm containment area with Delta Western staff. No visual or olfactory evidence of contamination was noted within the tank farm. Apparent clean gravel was noted.

Additional water sampling was completed at Well GL-MW-02 and the onsite drinking water well on November 2, 2018. The sample collected from Well GL-MW-02 was submitted for analysis of DRO, GRO, RRO, and VOCs (EPA Method 8260). The sampled collected from the drinking water well was submitted for analysis of DRO, RRO, and VOCs (EPA Method 524.2). Benzene, DRO, and RRO were detected in Well GL-MW-02 up to 0.55 µg/l, 0.77 mg/l, and 0.26 mg/l, respectively, all of which are below the Table C groundwater cleanup levels. No compounds were detected in the drinking water well.

#### Failed Gasket Source Area

An unknown quantity (estimated between 200 and 1,000 gallons) of diesel was released on December 27, 2010 because of a failed gasket on the flange of a closed valve that connected two above ground storage tanks (ASTs) via an aboveground service pipe. The two tanks sat adjacent to each other, had capacities of 10,000 gallons and 12,000-gallons, respectively, and were located near the Delta Western property boundary, and abutting the Trident's Seafood Plant property to the east.

The initial observable impact was about 170 feet long and 15 feet wide, with the edge of the spill approximately five feet north of the bluff. Initial response actions included recovering about 150 gallons of product and impacted snow.

Excavation of impacted soil was performed in March 2011, several months after the initial release. The final excavation varied from about 6-inches to 3 feet in depth, and the total quantity of soil removed was approximately 205 cubic yards. Contaminated soil was stockpiled in supersacks at the western end of the Delta Western property. To protect the bluff, the excavation was lined with coconut matting, backfilled with clean material that was sloped away from the bluff, covered with more matting, and hydroseeded. The supersacks were shipped offsite by barge in September and delivered in January 2012 to Burlington Environmental, LLC, in Kent, Washington, for disposal.

Confirmation soil sample results indicated that the western side of the excavation was successfully cleaned up to below MTG cleanup levels. However, levels of DRO remained along the southern excavation on the bluff side up to 97,900 mg/kg, and up to 169,000 mg/kg (Sample 26) near the Trident property boundary.

It was determined that additional removal was not practical near the bluff, as excavation may result in destabilization or present a physical hazard. However, additional excavation was completed at the location of Sample 26 on November 5, 2012. A total of 8 cubic yards was removed and land farmed onsite. Confirmation samples collected from the excavation showed that the most of the highly impacted soil was removed. DRO remained up to 4,090 mg/kg in that location. The land farmed soils from this excavation were tilled overtime and shown to be remediated in 2016, at which time DEC approved onsite land-spreading of the soil.

Additional characterization activities were completed in 2012. Thirteen soil borings were completed across the site in an effort to determine the extent of contamination and evaluate migration to groundwater in the release area. Soil samples collected during this investigation contained DRO up to 10,000 mg/kg in the shallow subsurface soils; however, DRO impacts from the spill were generally limited to the top 12-15 feet of soil, with concentrations below MTG cleanup levels in the deeper intervals sampled. Groundwater was not encountered during this investigation. In addition to the soil boring investigation, the base of the bluff was inspected for seeps near the Naknek River. No seeps were observed.

Three more soil borings were advanced in July of 2013 to determine the extent of contamination towards the adjacent Trident Seafoods property. The boreholes were advanced to a depth of 15 feet bgs. DRO was not detected above laboratory PQLs, indicating there was little to no migration of contaminants onto Trident property from the 2010 spill.

Based on the information provided to date, DEC determined that there could be impacts downgradient of the release area. DEC requested additional vertical delineation in the source area, evaluation of downgradient impacts to the intertidal zone, and additional sampling along the bluff to determine current contaminant concentrations.

A field effort to address DECs concerns was completed in May 2017 and consisted of advancing four soil borings, installing two groundwater monitoring wells, installing one well point at the toe of the bluff in the intertidal zone, and collecting one surface soil sample from the top of the bluff to determine if attenuation has occurred in surface soils.

Samples collected from the deepest interval in each soil boring were below the most stringent MTG cleanup levels. Also, the water results from the two groundwater monitoring wells and the well point were below Table C groundwater cleanup levels. However, the wells and well point were not installed in the source area, as DEC had requested. Thus, an additional effort was completed in 2018 that entailed installing and sampling one additional well point downgradient of the release area and within the river-water/groundwater interface. Detections of toluene were present in the temporary well point, but were below the Table C groundwater cleanup levels. Soil results from the surface soil sampling indicated that very little attenuation, if any, has occurred along the bluff where contaminated soil (up to 97,000 mg/kg DRO) was left in place.

#### <u>Summary</u>

Levels of DRO remain above the Method Two maximum allowable concentrations (MACs) along the bluff and within the fenced tank farm containment area. However it has been determined that further excavation is not practical in these areas either because of facility infrastructure or proximity to the bluff. Institutional controls will be required at this site, as further described in the "DEC Decision" section.

## **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 DEC'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, Exposure Controlled, or Pathway Incomplete. A summary of this pathway evaluation is included in Table 2.

 Table 2 – Exposure Pathway Evaluation

Pathway	Result	Explanation
Surface Soil Contact	Exposure Controlled	Contamination is documented in surface soils above MACs for DRO in two areas; (1) within the fenced tank farm containment near the pump house, and (2) in the vegetative material along the southern bluff. Access to the tank farm is limited to site workers and employees, and based on observation in 2018, it appears that the contamination has been covered with clean fill material. The contamination above MACs at the bluff is not practical to remove; however will be monitored for sluffing and signage will be required to notify site workers of the contamination.
Sub-Surface Soil Contact	Exposure Controlled	Contamination remains in the sub-surface soils above MACs in the tank farm area. It is not practical to remove the soils as they are below the tank farm containment area and active tanks. In the future, when the facility is taken out of service additional assessment and cleanup will be required.
Inhalation – Outdoor Air	De-Minimis Exposure	Volatile compounds in the soil, such as benzene, are below inhalation or human health cleanup levels.
Inhalation – Indoor Air (vapor intrusion)	Pathway Incomplete	Occupied building are not present and not expected within 30 feet of the volatile contamination.
Groundwater Ingestion	De-Minimis Exposure	The groundwater is contaminated, but all contaminants are below the Table C groundwater cleanup levels. Although contamination exists in the groundwater, it should be noted that the drinking water well is drilled to 114 feet and is not impacted by the contamination.
Surface Water Ingestion	Pathway Incomplete	Surface water is not used as a drinking water source in the vicinity of the site.
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	Contaminants are not impacting the Naknek River as documented by several temporary monitoring wells installed along the toe of the bluff in the intertidal zone.

<u>Notes to Table 2</u>: "De-Minimis Exposure" means that in DEC's judgment receptors are unlikely to be affected by the minimal volume or concentration of remaining contamination. "Pathway Incomplete" means that in DEC'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.

#### **DEC** Decision

Petroleum contamination remains in soil above levels suitable for unrestricted future use; however DEC has approved the use of institutional controls to limit potential future exposure and risk to human health 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 DEC prior to any sale or transfer of the property and shall report to DEC 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 DEC 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. Permanent signage must be placed near the contaminated bluff to notify site workers and/or visitors of the contamination present. The sign must read:

PLEASE TAKE NOTICE Petroleum contamination remains in the vegetated bluff. Please do not disturb. Report any erosion of the bluff to ADEC immediately.

Signage must be placed by June 25, 2018. Pictures should of the sign should be email to ADEC to document placement.

- 3. All monitoring wells currently onsite must be decommissioned by removal by June 25, 2019. Within 30 days of the decommissioning, a brief report must be submitted to the department describing the effort.
- 4. ADEC must be notified if portions of the contaminated bluff erode into the river, or if evidence of contamination, such as contaminant seeps, is noted along the bluff.
- 5. Fencing shall be maintained around the tank farm to limit access and exposure.

- 6. The property shall not be used for residential purposes including use for child day care, educational facilities, playgrounds, hospitals or similar facilities.
- 7. In the event that the remaining contaminated soil becomes accessible (i.e. for removal) in the future because of bank stabilization, erosion, removal of the tank farm, facility closure, or for any other reason not explicitly stated, the land owner shall notify DEC and characterize and, if determined necessary, cleanup the soil.
- 8. DEC must be notified in advance of the subdivision or replat of the property associated with these institutional controls. This recorded Notice of Environmental Contamination must be included as part of future property transactions and attached to subsequent associated parcels.
- 9. DEC 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) 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 DEC approval must be obtained before moving the soil or water off the property.

Standard site closure conditions that apply to all sites include:

- 10. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
- 11. 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.

DEC 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 DEC 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 conditions11 and 12 above will remain in effect after ICs are removed.

This determination is in accordance with 18 AAC 75.380 and does not preclude DEC 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) 269-7691 or email at joshua.barsis@alaska.gov.

Sincerely,

Joshua Barsis 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 a site figure showing the locations of existing structures, the area that has been cleaned up, the approximate location and extent of remaining soil and/or groundwater contamination which is subject to the institutional controls described in this notice, and the (general) locations where soil and water samples were collected.

cc: Spill Prevention and Response, Cost Recovery Unit



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# Notice of Environmental Contamination and Institutional Controls

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

Grantee: Wards Cove Holdings, LLC 10740 Meridian Ave. N. Suite 210 Seattle, WA. 98133

**Legal Description:** US Survey No. 544 and filed in the Kvichak Recording District, Third Judicial District, State of Alaska.

Recording District: Kvichak Recording District

Return to: Joshua Barsis 555 Cordova Street Anchorage, AK 99501

State Business- No Charge

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# NOTICE OF ENVIRONMENTAL CONTAMINATION AND INSTITUTIONAL CONTROLS

As required by the Alaska Department of Environmental Conservation, pursuant to 18 AAC 75.375 Wards Cove Holdings, LLC, the Landowner of the subject property, hereby provides public notice that the property located at: Mile 0 Alaska Peninsula Highway, Naknek, Alaska, 99633 and more particularly described as follows:

US Survey No. 544 and filed in the Kvichak Recording District, Third Judicial District, State of Alaska

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 (DEC contaminated sites database at <a href="http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search">http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search</a> under the site name <a href="http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search">http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search</a> under the site name <a href="http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search">Delta</a> Western Tank Farm - Naknek and Hazard ID number 3053.

By signing this notice, DEC 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.

DEC 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 DEC that the site may pose an unacceptable risk to human health, safety, welfare, or the environment.

DEC determined, in accordance with 18 AAC 75.325 – .390 site cleanup rules, that cleanup has been performed to the maximum extent practicable even though residual soil contamination remains onsite above applicable cleanup levels. Further cleanup was determined to be impracticable for soil contaminated under the active tank farm facility and near the bluff.

The following institutional controls and standard conditions shall be maintained:

#### Institutional Controls

1. The Landowner agrees to notify DEC prior to any sale or transfer of the property and shall report to DEC 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 DEC at:

Alaska Department of Environmental Conservation Division of Spill Prevention and Response Contaminated Sites Program

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Attention: IC Unit P.O. Box 111800 Juneau, AK 99811-1800

or be submitted electronically to CS.Submittals@alaska.gov.

2. Permanent signage must be placed near the contaminated bluff to notify site workers and/or visitors of the contamination present. The sign must read:

#### PLEASE TAKE NOTICE

Petroleum contamination remains in the vegetated bluff. Please do not disturb. Report any erosion of the bluff to ADEC immediately.

Signage must be placed by June 25, 2018. Pictures should of the sign should be email to ADEC to document placement.

- 3. All monitoring wells currently onsite must be decommissioned by removal by June 25, 2019. Within 30 days of the decommissioning, a brief report must be submitted to the department describing the effort.
- 4. ADEC must be notified if portions of the contaminated bluff erode into the river, or if evidence of contamination, such as contaminant seeps, is noted along the bluff.
- 5. Fencing shall be maintained around the tank farm to limit access and exposure.
- 6. The property shall not be used for residential purposes including use for child day care, educational facilities, playgrounds, hospitals or similar facilities.
- 7. In the event that the remaining contaminated soil becomes accessible (i.e. for removal) in the future because of bank stabilization, erosion, removal of the tank farm, facility closure, or for any other reason not explicitly stated, the land owner shall notify DEC and characterize and, if determined necessary, cleanup the soil.
- 8. DEC must be notified in advance of the subdivision or replat of the property associated with these institutional controls. This recorded Notice of Environmental Contamination must be included as part of future property transactions and attached to subsequent associated parcels.
- 9. DEC 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) 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 DEC approval must be obtained before moving the soil or water off the property.



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#### Standard Conditions

- 10. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.
- 11. 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 or diagram(s) drawn to scale that shows the locations of existing structures, the area that has been cleaned up, the approximate location and extent of remaining soil and/or groundwater contamination which is subject to the institutional controls described in this notice, and the (general) locations where soil and water samples were collected.

Failure to comply with the institutional controls described herein may result in DEC 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 DEC 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 DEC Contaminated Sites Program file number 2616.38.002 for the site named Delta Western Tank Farm - Naknek.

Signature of Landowner

Jan Supler C.E.O. of Wards Cove Company, sole member of Wards Cove Company, LLC

Signature of Authorized DEC Representative

Joshua

Printed Name of Authorized DEC Representative

4-11-2019

March 26, 2019

Date





