



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Environmental
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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DEC File No: 2265.38.042

June 28, 2024

Jeffrey and Shannon Huber
189 East Nelson Avenue #194
Wasilla, AK 99654

Re: Decision Document: Lawn Ranger Illegal Dumping, Eldorado Drive
Cleanup Complete Determination

Dear Mr. and Ms. Huber:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (DEC) has completed a review of the environmental records associated with the Lawn Ranger Illegal Dumping, Eldorado Drive located at 5150 and 5101 N. Eldorado Drive in Wasilla. 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 information becomes available that indicates residual contaminants may pose an unacceptable risk.

This Cleanup Complete determination is based on the administrative record for the Lawn Ranger Illegal Dumping, Eldorado Drive maintained by DEC. This decision letter summarizes the site history, cleanup actions and levels, and site closure conditions that apply.

Site Name and Location:

Lawn Ranger Illegal Dumping, Eldorado Drive
5150 and 5101 N. Eldorado Drive
Wasilla, AK 99654

Name and Mailing Address of Contact Party:

Jeffrey and Shannon Huber
189 East Nelson Avenue #194
Wasilla, AK 99654

DEC Site Identifiers:

File No.: 2265.38.042
Hazard ID.: 26479

Regulatory Authority for Determination:

18 Alaska Administrative Code (AAC) 75

Site Description and Background

In October 2015, Lawn Ranger of Alaska (Lawn Ranger) dumped petroleum contaminated soil onto the undeveloped properties at 5150 and 510 N. Eldorado Drive. DEC Spill Prevention and Response personnel conducted a limited investigation of the dumping site and collected samples confirming the dumped soil was contaminated with diesel range organics (DRO).

Contaminants of Concern

During the site investigation and cleanup activities at this site, samples were collected from soil and groundwater and analyzed for polyaromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), gasoline range organics (GRO), diesel range organics (DRO), residual range organics (RRO), and metals. Based on these analyses, the following contaminant was detected above the applicable cleanup levels and is considered a Contaminant of Concern (COCs) at this site:

- DRO
- naphthalene

Cleanup Levels

Soil cleanup levels applicable to the site are the most stringent Method 2 cleanup levels for the under 40-inches of precipitation climate zone found in 18 AAC 75.341(c), Table B1 and 18 AAC 75.341(d), Table B2.

Table 1 – Approved Cleanup Levels

Contaminant	Soil (mg/kg)
DRO	250
naphthalene	0.0038

Notes:

1. mg/kg = milligrams per kilogram

Characterization and Cleanup Activities

On November 3, 2015, shortly after the incident was reported, DEC conducted a site visit and limited field screening. Contaminated soil was observed down at 5150 and 5101 N. Eldorado Drive and additional piles of material were observed on the shoulder of the road. Five field screening samples were collected and analyzed with a photo-ionization detector (PID). Field screening results ranged from 1.3 to 34.8 parts per million (ppm). The field screening results from the shoulder of the road were 51.2 and 90.2 ppm.

On November 9, 2015 DEC personnel returned to the site to collect samples to submit to the laboratory. The piles of material on the shoulder of the road had been removed at some time between November 3rd and November 9th before DEC personnel arrived. DEC personnel set up a grid approximately 50 feet by 20 feet adjacent to 5150 and 5101 N. Eldorado Drive and field screened in ten grid squares. Field screening results ranged from 0.2 to 34.3 ppm. A sample was collected from the highest PID reading, a background sample was collected in an undisturbed area and a third sample was collected at 6 inches below ground surface (bgs) on the shoulder of the road where soil had been dumped and then removed. Each sample was analyzed for DRO, RRO, GRO, VOC, and PAH. The sample collected from the location with the highest PID contained DRO at 500 mg/kg and naphthalene at 0.078 mg/kg. The sample collected from the shoulder had the highest concentration at of DRO at 1,060 mg/kg and naphthalene at 0.11 mg/kg. Other contaminants were either not detected or were detected below the cleanup levels in the three samples.

In October 2022 DEC personnel visited the site to inspect the grid area and conduct field screening, warm-water sheen tests and conduct visual and olfactory observations. Nine field screening locations were selected; all PID readings were under 1 ppm except a single reading at 4.6 ppm. Sheen was not observed in the warm-water sheen tests from the same locations. Two locations near a new driveway, east of the dump site at the base of a slope and closer to where the shoulder material was located, were also field screened. The exact location of the shoulder material could not be located. Both PID readings were 0.0 ppm and no sheen was observed using the warm-water sheen screening method.

Later in October 2022, the responsible party reportedly entered the property without permission and removed soil from the former dumping area and disposed of it at the Alaska Demolition Monofill. In May 2023 DEC personnel conducted a site visit and documented the locations where material had been removed.

In June 2023, field screening and sampling was conducted in the area where the soil had been originally dumped. Care was taken to sample below the fill that had been placed in October 2022. The laboratory samples were collected and analyzed for DRO and PAH. Only DRO was detected ranging between 26.4 mg/kg and 36.3 mg/kg, below the cleanup levels. Based on information collected since the 2015 incident, the contaminated material has been removed from the affected properties and the remaining contaminants are below the applicable cleanup levels.

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 (HI) of 1 across all exposure pathways.

Based on a review of the environmental record, DEC 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 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 3.

Table 3 – Exposure Pathway Evaluation

Pathway	Result	Explanation
Surface Soil Contact	De Minimis Exposure	Contamination was not detected above human health (inclusive of direct contact) and ingestion levels in 18 AAC 75.341, Tables B1 and B2.
Subsurface Soil Contact	De Minimis Exposure	Contamination was not detected above human health (inclusive of direct contact) and ingestion levels in 18 AAC 75.341, Tables B1 and B2.
Inhalation – Outdoor Air	De Minimis Exposure	Contamination remains in the subsurface below human health and inhalation levels in 18 AAC 75.341, Tables B1 and B2.

Inhalation – Indoor Air (vapor intrusion)	De Minimis Exposure	No structures are present, contamination that was present on the vacant lot has been removed and results are below cleanup levels.
Groundwater Ingestion	De Minimis Exposure	Groundwater is not currently used as drinking water on the property, though there are wells in the area. Contaminants do not exceed migration to groundwater cleanup levels.
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	There are no complete pathways to ecological receptors at the site.

Notes:

1. “De Minimis Exposure” means that, in DEC’s judgment, the receptors are unlikely to be adversely affected by the minimal volume or concentration of remaining contamination.
2. “Pathway Incomplete” means that, in DEC’s judgment, the contamination has no potential to contact receptors.

DEC Decision

Soil in the base of the slope at 5101 and 5150 El Dorardo Drive has been cleaned up to the most stringent cleanup levels. The location of the contaminated soil that was dumped on the shoulder of the road could not be located. Much of the contaminated soil was removed shortly after it was dumped in 2015 and it is likely that any contamination that remained has since naturally attenuated. The site has been cleaned up to concentrations below the approved cleanup levels suitable for residential land use. This site will receive a “Cleanup Complete” designation on the Contaminated Sites Database.

DEC approval is required for movement and disposal of soil and/or groundwater subject to the Site Cleanup Rules, in accordance with 18 AAC 75.325(i). Please contact DEC for information about applicable regulations and requirements. A “site”, as defined by 18 AAC 75.990, means an area that is contaminated, including areas contaminated by the migration of hazardous substances from a source area, regardless of property ownership.

Movement or use of contaminated material in an ecologically sensitive area or in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited. Furthermore, 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. If, in the future, groundwater from this site is to be used for other purposes, 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 and does not preclude DEC from requiring additional assessment and/or cleanup action if information indicates that contaminants at this site may pose an unacceptable risk to human health, safety, or welfare or to the environment.

Informal Reviews and Adjudicatory Hearings

A person authorized under a provision of 18 AAC 15 may request an informal review of a contested decision by the Division Director in accordance with 18 AAC 15.185 and/or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. See DEC’s “Appeal a DEC Decision” web page <https://dec.alaska.gov/commish/review-guidance/> for access to the required forms and guidance on the appeal process. Please provide a courtesy copy of the adjudicatory hearing request in an electronic format to the parties required to be served under 18 AAC 15.200. Requests must be submitted no later than the deadline specified in 18 AAC 15.

If you have questions about this closure decision, please feel free to contact me at (907) 269-7556, or email at alena.voigt@alaska.gov.

Sincerely,



Alena Voigt
Project Manager

cc: DEC, Division of Spill Prevention and Response, Cost Recovery Unit
Krystyn Tendy, DOL
Peter Van Klaveren
Stephen James Spikes, Lawn Ranger of Alaska LLC