



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Environmental
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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File: 2100.26.281

August 22, 2024

Providence Health & Services
Dept. of Real Estate & Construction
3760 Piper Street, Suite 3029
Anchorage, AK 99508

Re: Institutional Controls (ICs) Verification for:
Tudor Square, former Toppers, 3401-3561 East Tudor Road, Anchorage, AK 99507

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 Tudor Square, former Toppers as a site with institutional controls.

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 2014 Corrective Action Complete Determination with Institutional Controls (Decision Document) granted by the Alaska Department of Environmental Conservation (ADEC). At the time of closure, soil and groundwater contamination were documented as remaining on the property.

Please be advised that the Tudor Square, former Toppers site is subject to the following site-specific conditions and/or institutional controls:

1. Any future change in land use may impact the exposure assumptions cited in the 2014 Decision Document. If land use and/or ownership changes, these management conditions may not be protective and ADEC may require additional remediation and revised conditions. Therefore, Providence Health & Services shall report to ADEC as soon as they become aware of any change in land ownership or use, if earlier. The report can be sent to the local ADEC office or submitted electronically to CS.Submittals@alaska.gov.
2. Soil contamination remains in the shallow peat layer that exists between two and six feet bgs, along the southern property line. Benzene is the only contaminant that exists above site-specific, ADEC-approved soil cleanup levels in this peat layer. In 2006, confirmation soil samples along the southern property boundary, in the utility easement adjacent to Tudor Road confirmed contamination. Future utility workers should be aware of exposure to this subsurface soil.
3. Groundwater contamination remains in the shallow, non-potable aquifer that seasonally fluctuates, at approximately ten feet bgs. GRO and benzene are the only contaminants that

remain in groundwater above Table C groundwater cleanup levels. According to 2005 groundwater sample results, contamination remains along the southern property boundary, in the utility easement adjacent to Tudor Road.

4. Any proposal to transport soil or groundwater off-site requires ADEC approval in accordance with 18 AAC 75.325. 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. **This is a standard condition.**
5. 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.**
6. Groundwater in the state of Alaska is protected for aquaculture use. In the event that an aquaculture facility uses groundwater from this site in the future, additional treatment may be required to meet aquatic life criteria under 18 AAC 70. **This is a standard condition.**

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 at ADEC’s online database record at: <http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/23893>

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
Environmental Program Specialist
Institutional Controls Unit

Encl: 2014 Decision Document