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: 2100.38.425

October 8, 2024

Dia Matteson
House of Harley
4332 Spenard Rd
Anchorage, AK 99517
dia@harleyalaska.com

Re: Decision Document: House of Harley
Cleanup Complete Determination

Dear Ms. Matteson:

The Alaska Department of Environmental Conservation, Contaminated Sites Program (DEC) has completed a review of the environmental records associated with the House of Harley located at 4334 Spenard Road in Anchorage. 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 House of Harley maintained by DEC. This decision letter summarizes the site history, cleanup actions and levels, and site closure conditions that apply.

**Site Name and Location:**
House of Harley
4334 Spenard Rd.
Anchorage, AK 99517

**Name and Mailing Address of Contact Party:**
Dia Matteson
House of Harley
4332 Spenard Rd.
Anchorage, AK 99517

**DEC Site Identifiers:**
File No.: 2100.38.425
Hazard ID.: 3744

**Regulatory Authority for Determination:**
18 Alaska Administrative Code (AAC) 75

**Site Description and Background**
The House of Harley retail and service shop is located at western corner of Spenard Rd and Barbara St in Anchorage (Figure 1). The southern and eastern property lines are bordered by the roads and the north/northwestern property line is bounded by Fish Creek. Properties in the area are mixed commercial/residential. During a building expansion project in September 2001, a 500-gallon underground storage tank (UST) formerly used to store heating oil was discovered and removed from the northeast corner of the expansion footprint. Petroleum sheen and soil contamination was observed in the excavation. Site investigation, including soil characterization and removal (to the depth of groundwater at 15 feet below ground surface), was performed prior to the completion of the building expansion.

**Contaminants of Concern**

During the site investigation and cleanup activities at this site, samples were collected from soil and groundwater and analyzed for gasoline range organics (GRO), diesel range organics (DRO), polycyclic aromatic hydrocarbons (PAHs), and petroleum volatile organic compounds (VOCs). Based on these analyses, the following contaminants were detected above the applicable cleanup levels and are considered Contaminants of Concern (COCs) at this site:

- DRO

**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. Groundwater cleanup levels applicable to this site are found in 18 AAC 75.345, Table C.

**Table 1 – Approved Cleanup Levels**

| Contaminant | Soil (mg/kg) | Groundwater (µg/L) |
|---|---|---|
| DRO | 250 | 1,500 |

1. mg/kg = milligrams per kilogram
2. µg/L = micrograms per liter

**Characterization and Cleanup Activities**
In 2001, during groundwork for the House of Harley building expansion, a former heating oil UST was discovered in the northeast corner of the expansion footprint. The UST and petroleum contaminated soil was removed to a depth of 15 feet below ground surface (bgs.) where groundwater was encountered. Sheen was observed on the water in the bottom of the excavation. Confirmation soil samples were collected from the base and sidewalls of the excavation and at the groundwater interface, and analyzed for DRO, and benzene, toluene, ethylbenzene, and xylene (BTEX). One sample collected beneath the former UST was also analyzed for PAHs. Excavated soil was stockpiled on site and later sent for thermal remediation and disposal.

The 2001 soil analytical results confirmed that contaminant concentrations were below DEC cleanup levels along the northern sidewall of the excavation. One sample in the western sidewall exceeded DRO cleanup levels (410 mg/kg). Two samples collected at the groundwater interface near the location for the former UST detected DRO concentration (3,100 mg and 5,400 mg/kg) above DEC cleanup levels. Several DRO

exceedances were also detected in the eastern sidewall at 13 to 15 feet bgs with concentrations up to 3,300 mg/kg. All sample results were below the migration to groundwater (MTG) cleanup levels for BTEX and PAHs.

Site characterization conducted in 2002 included installation of 3 soil borings converted to monitoring wells, and one direct push microwell. All four wells were installed on the north side of the building with monitoring well (MW1) in the Barbara Street right-of-way and MW2 near the northeastern corner of the building. Monitoring wells MW3 and MW4 were in the assumed down-gradient location of the former UST and approximately 50 feet east of Fish Creek. Soil samples from two borings (6-7 feet bgs.) and groundwater samples from all four wells were collected and analyzed for DRO and BTEX. DRO was detected in MW1 (2,240 µg/L) above the Table C groundwater cleanup level. There were no other exceedances in the remaining groundwater or soil samples. The groundwater flow direction was determined to be southeast in October and northwest in December.

In August 2020, groundwater samples were collected from the four wells (MW1 – MW4) and analyzed for DRO, GRO, PAHs, and petroleum VOCs. DRO was detected in each of the monitoring wells, however, MW2 was the only well with a DRO concentration (1,820 mg/L) above the Table C groundwater cleanup level. Results reported for the other wells were below DEC cleanup levels. The groundwater flow during this sample event was determined to be southwest towards Fish Creek.

In May 2021, two additional monitoring wells (MW5 and MW6) were installed. Four soil samples were collected from the monitoring well borings between 5 to 14 feet bgs. The samples were submitted to the laboratory for analysis of DRO, GRO, PAHs, and petroleum VOCs and reported concentrations were below DEC cleanup levels. Groundwater samples collected from the newly installed wells MW5 and MW6 were also analyzed for DRO, GRO, PAHs, and petroleum VOCs. DRO and PAHs were detected in both wells, however, below groundwater cleanup levels; petroleum VOCs were not detected in MW5 and MW6.

Monitoring wells MW1-MW3 were also sampled in May 2021 and the samples were analyzed for DRO. A sample could not be collected from monitoring well MW4 because it was blocked. DRO was detected in each of the well samples below cleanup levels with the highest concentration in MW3 at 1,440 µg/L.

An additional round of groundwater samples was collected from monitoring wells MW1, MW2, and MW6 in September 2021 and analyzed for DRO, GRO, petroleum VOCs, and PAH. All results were below Table C groundwater cleanup levels. The highest detection of DRO was in MW2 with a concentration of 1,300 µg/L.

The monitoring wells were decommissioned in April 2022.

**Remaining Contamination**

The maximum concentrations of contaminants remaining at the site are shown in Tables 2a and 2b. Sample locations referred to in Tables 2a and 2b are shown in the attached site figure.

**Table 2a – Maximum Contaminant Concentrations Remaining in Soil**

| Contaminant | Soil (mg/kg) | Sample Location | Date Sampled |
|---|---|---|---|
| DRO | 5,400 | HOH #1 | 10/15/2001 |

**Table 2b – Maximum Contaminant Concentrations Remaining in Groundwater**

| Contaminant | Groundwater (µg/L) | Sample Location | Date Sampled |
|---|---|---|---|
| DRO | 1,300 | MW-2 | 9/22/2021 |

**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 | Pathway Incomplete | Contamination is not present in surface soil (0 to 2 feet below ground surface). |
| Subsurface Soil Contact | De Minimis Exposure | Contamination remains in the subsurface below human health (inclusive of direct contact) and ingestion levels in 18 AAC 75.341, Tables B1 and B2. The parking lot area is also paved. |
| Inhalation – Outdoor Air | Pathway Incomplete | Contamination remains in the subsurface below human health and inhalation levels in 18 AAC 75.341, Tables B1 and B2. The parking lot area is also paved. |
| Inhalation – Indoor Air (vapor intrusion) | Pathway Incomplete | Groundwater contaminant data did not contain concentrations above vapor intrusion screening levels. |
| Groundwater Ingestion | De Minimis Exposure | Groundwater sample results show contaminant concentration below 18 AAC 75.345, Table C values. |
| Surface Water Ingestion | Pathway Incomplete | Surface water is not used as a drinking water source in the vicinity of the site. Groundwater sample results show contaminant concentrations below 18 AAC 75.345, Table C values in the monitoring wells near Fish Creek. |

| | | |
|---|---|---|
| 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 concerns about other ecological pathways. |

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.
3. "Exposure Controlled" means there is an IC in place limiting land or groundwater use and there may be a physical barrier in place that prevents contact with residual contamination.

**DEC Decision**

Soil and groundwater contamination at the site have 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) 262-8200, or email at dawn.wilburn@alaska.gov.

Sincerely,

Dawn Wilburn
Environmental Program Specialist
DEC Contaminated Sites Program

cc: DEC, Division of Spill Prevention and Response, Cost Recovery Unit

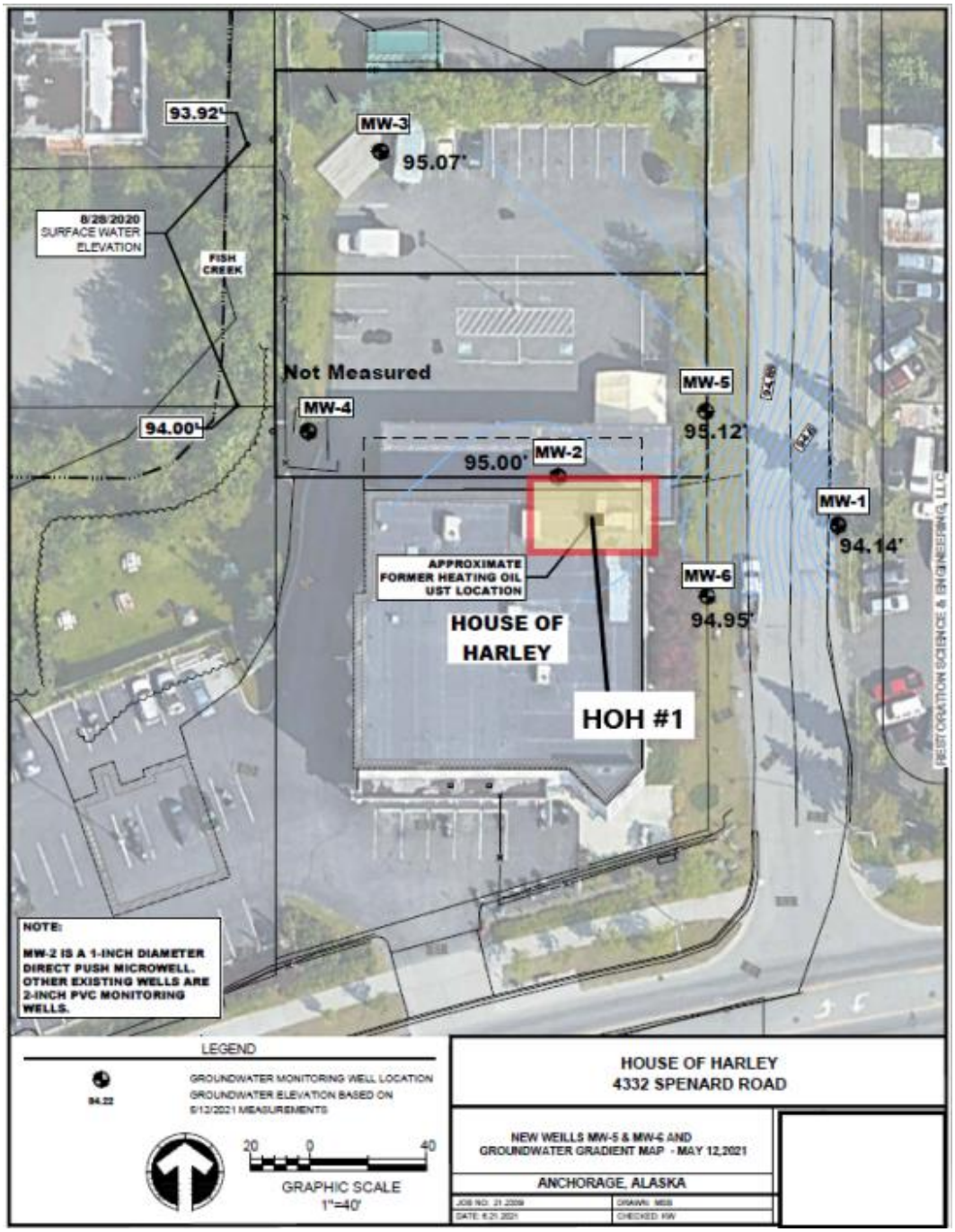


Figure 1.-House of Harley site map, monitoring well locations, and sample HOH#1 location. The yellow area bordered in red is the approximate excavation area with the former UST indicated.