



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Environmental Conservation

DIVISION OF SPILL PREVENTION & RESPONSE
Contaminated Sites Program

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File No: 100.26.034

December 4, 2013

Certified Mail Return Receipt Requested
Article No. 7012 2210 0002 1531 8900

Scott Marikis
Empire Airlines, Inc.
11559 N. Atlas Rd.
Hayden, ID 83835

Re: Verification of Institutional Control Compliance at FIA – Empire Airlines (#4)

Dear Mr. Marikis:

The Contaminated Sites Program is conducting an audit of contaminated sites closed with conditions (Institutional Controls) to verify that closure stipulations such as periodic monitoring and reporting are being performed by the responsible party of record as required under state law (18 AAC 75.375).

In 2011 the Alaska Department of Environmental Conservation (DEC) granted a Corrective Action Complete – Institutional Controls Determination for the FIA – Empire Airlines (#4) site that included conditions requiring the decommissioning of all groundwater monitoring wells in accordance with ADEC guidance. ADEC granted Shannon and Wilson's request to extend the well decommissioning deadline to August 15, 2013. However, we have not received any reports documenting the well decommissioning. The Corrective Action Complete – Institutional Controls Determination document detailing the institutional controls that are in effect for this property is enclosed.

Requested Documentation

In order to ensure that conditions at the site are protective of human health, welfare and the environment, DEC requests that you provide the following:

- Nature of the current land use of the FIA – Empire Airlines (#4) property.
- Decommissioning status of all groundwater monitoring wells on the referenced property.

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- Shannon and Wilson's report documenting the well decommissioning at the referenced property. If the groundwater monitoring wells have not yet been decommissioned, please make arrangements to have decommissioning performed **as soon as possible**.

In addition to the requirement that all groundwater monitoring wells be decommissioned, please be advised that the following Institutional Controls as established in the 2011 Corrective Action Complete – Institutional Controls Determination continue to apply:

- Any change in use or development on the property that may impact the exposure assumptions cited in this document must be reported to DEC prior to initiating. Such changes include but are not limited to soil excavations, installation of soil borings, installation of wells for any groundwater use, construction of new buildings or additions to the existing ones, demolition of existing structures, etc. If changes on the property use or development occur, current ICs may not be protective and ADEC may require additional remediation and/or ICs. Therefore FAI – DOT&PF shall report to ADEC every time a change or development project occurs on the property and every time a new leaseholder or sub-lessee assumes the lease for this lot. Reporting shall occur as soon as FAI –DOT&PF becomes aware of the event.
- Installation of groundwater wells will require approval from ADEC and the FAI DOT&PF Leasing Office.
- Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 78.600(h).
- Movement or use of contaminated material in a manner that results in a violation of 19 AAC 70 water quality standards is prohibited.

DEC is concerned that the site conditions may not be protective. Failure to maintain these requirements may result in re-opening of the site by the Contaminated Sites Program, in which case, further remediation could be mandatory.

Please provide the requested documentation either by hard copy letter or email no later than **January 6, 2014**. If you have any questions about these requirements, please do not hesitate to contact me at (907) 465-5229 or evonne.reese@alaska.gov.

Sincerely,



Evonne Reese
Environmental Program Specialist
Institutional Control Unit

Encl: 2011 Corrective Action Complete – Institutional Controls Determination