



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Environmental
Conservation

DIVISION OF SPILL PREVENTION & RESPONSE
Contaminated Sites Program

410 Willoughby Ave Suite 303
PO Box 111800
Juneau, Alaska 99811-1800
Main: 907-465-5390
Fax: 907-465-5218

File No: 400.38.031

November 12, 2014

Certified Mail Return Receipt Requested
Article No. 7014 0150 0000 1163 5174

John Handeland
General Manager/Chief Operating Office
Nome Joint Utility System
PO Box 70
Nome, AK 99762

Re: Verification of Institutional Control Compliance at Nome New Power Plant

Dear Mr. Handeland:

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 2007 the Alaska Department of Environmental Conservation (DEC) granted a Record of Decision for the Nome New Power Plant site that included conditions requiring perimeter fencing be placed around the property and maintained to prevent unauthorized access, that signs be posted and maintained which notify the public of the restricted access requirements, and that a soil cap of 4 to 7 feet over the contaminated soil areas be maintained to prevent soil and water exposure pathways. However, we have not received any documentation of the fencing installation, the sign postage, or maintenance of the soil cap on the referenced property. The Record of Decision 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 Nome New Power Plant property.
- Current status of the soil cap of 4 to 7 feet over the contaminated soil.

November 12, 2014

- Photo verification of perimeter fencing placement and maintenance on the referenced property.
- Photo verification of sign postage notifying the public of restricted access requirements.
- If the fencing has not been installed and/or the signs have not been posted, please make arrangements to complete these requirements **as soon as possible**.

In addition to the fence installation, sign postage, and soil cap maintenance requirements, please be advised that the following Institutional Controls as established in the 2007 Record of Decision continue to apply:

- A deed notice precluding the installation of any groundwater wells without DEC review or approval shall be attached to the property.
- The owner/operator of the site shall ensure oversight and screening by a qualified environmental consultant when (or if) soil excavation is proposed. In the event that contamination is discovered, DEC shall be notified.
- The owner/operator shall ensure any exposure risks are incorporated into the facility's health and safety plan.
- Construction activities may require workers to wear appropriate personal protection equipment in accordance with the facility's site safety plan.

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 **December 12, 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: 2007 Record of Decision