



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Environmental  
Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE  
Contaminated Sites Program

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File: 2407.38.011

Certified Mail, Return Receipt Requested  
Article No. 7013 2250 0000 3330 1921

May 19, 2015

Meera Kohler, CEO  
Alaska Village Electric Cooperative, Inc.  
4831 Eagle St.  
Anchorage, Alaska 99503

Re: Bethel Utilities Corp. Power Plant  
Hazard ID: 2450

**\*\* STATE OF ALASKA NOTIFICATION – HAZARDOUS SUBSTANCE LIABILITY\*\***

Dear Ms. Kohler:

This standard notification is to advise you of your liability for the contamination identified at the Bethel Utilities Corp. Power Plant site located at the Bethel Power Plant, Lots 10D, 10F, and 6, of US Survey 4117, in Bethel. Because you are documented as the current owner/operator for this site, you are identified to be financially responsible or liable under AS 46.03.822 (Strict Liability for the Release of Hazardous Substances) for the investigation and cleanup of any hazardous substance contamination that might be present.

Alaska Statute 46.03.822 establishes who is liable for contamination. State records indicate that you meet the following criteria:

- own or operate the property at which the hazardous substance came to be located; or

In addition, Alaska Statutes 46.04.010 (Reimbursement for Cleanup Expenses) and 46.08.070 (Reimbursement for Containment and Cleanup) require that recovery be sought for certain costs, including oversight activities, incurred by the State in responding to pollution incidents. Billable oversight expenditures include the direct cost of staff time plus indirect state overhead costs. Billable staff time includes all time spent on activities related to the incident, including site visits, response and report reviews, correspondence, telephone conversations, meetings, and legal services.

If you are taking adequate actions to clean up this site, the Alaska Department of Environmental Conservation's (ADEC) involvement will be limited to approving cleanup plans and reports, monitoring the progress of cleanup activities and providing guidance as necessary. However, if response actions by the responsible party are not satisfactory, ADEC may assume the lead role in the investigation and cleanup efforts. In the event that State response actions are necessary, you may be held financially liable for any response actions taken by the State. Failure to reimburse the state for billable oversight and cleanup expenditures incurred by the state to address contamination at this site may result in the filing of liens against property you own, pursuant to Alaska Statute 46.08.075.

If you have specific questions regarding the investigation and cleanup of this site, you can reach me at 907-262-3422, or via email at [paul.horwath@alaska.gov](mailto:paul.horwath@alaska.gov)

If you believe someone else may be responsible for this pollution incident or you have questions about your liability under Alaska Statutes, or you have questions about cost recovery and the billing process, please contact DEC's Cost Recovery Unit by phone at (907) 465-5250 or by email at [dec.spar.cr@alaska.gov](mailto:dec.spar.cr@alaska.gov).

Sincerely,



Paul Horwath, P.E.  
Project Manager  
ADEC Contaminated Sites Program

cc: SPAR Cost Recovery Unit via email [dec.spar.cr@alaska.gov](mailto:dec.spar.cr@alaska.gov)