(10)

Done
7-10-89
DCS

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1989 NONPOINT SOURCE WATER QUALITY ASSESSMENT

SHORT DATA FORM

Name of Waterbody: Herring Bay Creek / 101-45-1070

Location or Lat/Long: Herring ~~Cove~~ Bay, ~ 5 miles south of downtown Ketchikan

Waterbody Type:
- [X] River/Stream
- [ ] Lake
- [ ] Fresh Wetland
- [ ] Tidal Wetland
- [ ] Estuary
- [ ] Coastal Shoreline
- [ ] Groundwater

Waterbody Size:
- 0.5 Miles est.
- ____ Acres/Hectares
- ____ Acres/Hectares
- ____ Acres/Hectares
- ____ Square Miles
- ____ Square Miles

Current / 1989

10102-011

Segment of Waterbody Addressed:
From:
To:
Other Description: 0.25 mile of stream above mouth at Herring Cove
Size of Segment: est. 0.25 miles

Describe Source of Pollution and Documentation Provided: Rock / dirt fill (un-permitted) in wetlands adjacent to stream put some material in stream, caused blockage. Court case, no contest. Also dredging & spoil disposal reaching stream.
Extensive documentation in ADF&G files (Habitat, Ketchikan, Jack Gustafson) & in court records
Also EPA compliance order / State Troopers / USFWS

Type of Documentation (attached if possible):
- [ ] Water quality data
- [ ] Documented oil spill
- [X] NOV, Enforcement action
- [ ] Photos with documentation
- [ ] Photos without documentation
- [ ] Written report
- [ ] Field notes
- [ ] Overflight
- [ ] Observation
- [ ] Other

(10-6-88)
ADF&G 840/870 Court conviction
EPA Compliance Order
(8-25-88)

Comments: Small stream flows through tidal wetlands meadow at Herring Bay. Wetland fill area used for log storage at mill. Some fill done without permit (1979 permit had expired)

Author of This Assessment: D Sturdevant **Affiliation:** DEC **Date:** 6-28-88

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1989 NONPOINT SOURCE WATER QUALITY ASSESSMENT

*** WATERBODY ***

Name of Waterbody: Herring Bay Creek

Location or Lat/Long: 55°19'30" 131°31'20" .5 miles south of downtown Ketchikan

Waterbody Type:
- [X] River/Stream
- [ ] Lake
- [ ] Fresh Wetland
- [ ] Tidal Wetland
- [ ] Estuary
- [ ] Coastal Shoreline
- [ ] Groundwater

Waterbody Size:
- .5 Miles
- ____ Acres/Hectares
- ____ Acres/Hectares
- ____ Acres/Hectares
- ____ Square Miles
- ____ Square Miles

ADEC USE ONLY
304l: N L M S
WQL: 0 - N
1 - PS
2 - NPS
3 - WQS
4 - Con/Enf
ID#: ____

Segment of Waterbody Addressed:
From: ____
To: ____
Other Description: 0.25 mile of stream above mouth of Herring Cove
Size of Segment: est. 0.25 mile

USGS Hydrologic Unit #: AK 190 -10102-011

*** ASSESSMENT ***

Describe Source of Pollution and Documentation Provided:
Rock / Dirt Fill (unpermitted) to wetlands and stream - see attached information.

Type of Documentation (Attached If Possible):
- [ ] Water quality data
- [ ] Documented oil spill
- [X] Enforcement action
- [ ] Photos with documentation
- [ ] Photos without documentation
- [ ] Written report
- [ ] Field notes
- [ ] Overflight
- [ ] Observation
- [ ] Other

Assessment type:
- [ ] Monitored
- [X] Evaluated

Violation of Water Quality Standards:
- [ ] **Past** Violation Documented
- [X] **Current** Violation Documented
- [ ] **Current** Violation Suspected
- [ ] **Future** Violation Projected

Waterbody Status:
- [ ] Impaired - Past
- [X] Impaired - Current
- [ ] Suspected
- [ ] Unimpaired

Comments: Small stream flows through tidal wetlands meadow at Herring Bay. Wetland fill area used for log storage at mill. Some fill done without permit (1979 permit had expired)

Author of This Assessment: D. Sturdevant **Affiliation:** ADEC **Date:** 89 06 (YY/MM)

Pollutants: (H = High, M = Medium, S = Slight)

__ 0 Cause Unknown
__ 1 Unknown toxicity
__ 2 Pesticides — Type _____
__ 3 Priority organics — Type _____
__ 4 Nonpriority organics — Type _____
__ 5 Metals — Type _____
__ 6 Ammonia
__ 7 Chlorine
__ 8 Other inorganics
__ 9 Nutrients
__ 10 pH
H 11 Siltation
__ 12 Organic enrichment
__ 13 Salinity/TDS/Chlorides
__ 14 Thermal modifications
__ 15 Flow alteration
__ 16 Habitat alteration
__ 17 Pathogens
__ 18 Radiation
__ 19 Oil and Grease
__ 20 Taste and Odor
__ 21 Suspended solids
__ 22 Noxious aquatic plants
H 23 Filling and draining

Sources of Pollutants: (H = High, M = Medium, S = Slight)

Point Sources
__ 1 Industrial
__ 2 Municipal
__ 3 Municipal pretreatment
__ 4 Combined sewers
__ 5 Storm sewers
__ 6 Other dischargers

Nonpoint Sources
__ 9 Unspecified

Agriculture
__ 11 Non-irrigated crop production
__ 12 Irrrigated crop production
__ 13 Specialty crop production
__ 14 Pasture land
__ 15 Range land
__ 16 Feedlots
__ 17 Aquaculture
__ 18 Animal holding areas
__ 19 Manure lagoons

Silviculture
__ 21 Harvest, restoration
__ 22 Forest management
__ 23 Road construction/maintenance

Construction
__ 31 Highway/road/bridge
__ 32 Land development

Urban Runoff
__ 41 Storm sewers
__ 42 Combined sewers
__ 43 Surface runoff

Source Unknown
__ 90 Source Unknown

Resource extraction/exploration
__ 51 Surface mining
__ 52 Subsurface mining
__ 53 Placer mining
__ 54 Dredge mining
__ 55 Petroleum activities
__ 56 Mill tailings
__ 57 Mine tailings

Land Disposal (Permitted Activities)
__ 61 Sludge
__ 62 Wastewater
__ 63 Landfills
__ 64 Industrial land treatment
__ 65 Onsite wastewater systems
__ 66 Hazardous waste
__ 67 Septage disposal

Hydrologic Modification
__ 71 Channelization
__ 72 Dredging
__ 73 Dam construction
__ 74 Flow regulation/modification
__ 75 Bridge construction
__ 76 Removal of riparian vegetation
__ 77 Streambank modification
H 78 Draining/filling of wetlands

Other
__ 81 Atmospheric deposition
__ 82 Waste storage/storage tank leaks
__ 83 Highway maintenance and runoff
__ 84 Spills
__ 85 In-place contaminants
__ 86 Natural
__ 87 Recreational activities
__ 88 Upstream impoundment
__ 89 Salt storage sites
__ 99 Septic tank seepage

*** NONATTAINMENT CAUSES ***

Pollutants: (H = High, M = Medium, S = Slight)

__ 0 Cause Unknown
__ 1 Unknown toxicity
__ 2 Pesticides — Type _____
__ 3 Priority organics — Type _____
__ 4 Nonpriority organics — Type _____
__ 5 Metals — Type _____
__ 6 Ammonia
__ 7 Chlorine
__ 8 Other inorganics
__ 9 Nutrients
__ 10 pH
H 11 Siltation
__ 12 Organic enrichment
__ 13 Salinity/TDS/Chlorides
__ 14 Thermal modifications
__ 15 Flow alteration
__ 16 Habitat alteration
__ 17 Pathogens
__ 18 Radiation
__ 19 Oil and Grease
__ 20 Taste and Odor
__ 21 Suspended solids
__ 22 Noxious aquatic plants
H 23 Filling and draining

Sources of Pollutants: (H = High, M = Medium, S = Slight)

Point Sources
__ 1 Industrial
__ 2 Municipal
__ 3 Municipal pretreatment
__ 4 Combined sewers
__ 5 Storm sewers
__ 6 Other dischargers

Nonpoint Sources
__ 9 Unspecified

Agriculture
__ 11 Non-irrigated crop production
__ 12 Irrrigated crop production
__ 13 Specialty crop production
__ 14 Pasture land
__ 15 Range land
__ 16 Feedlots
__ 17 Aquaculture
__ 18 Animal holding areas
__ 19 Manure lagoons

Silviculture
__ 21 Harvest, restoration
__ 22 Forest management
__ 23 Road construction/maintenance

Construction
__ 31 Highway/road/bridge
__ 32 Land development

Urban Runoff
__ 41 Storm sewers
__ 42 Combined sewers
__ 43 Surface runoff

Source Unknown
__ 90 Source Unknown

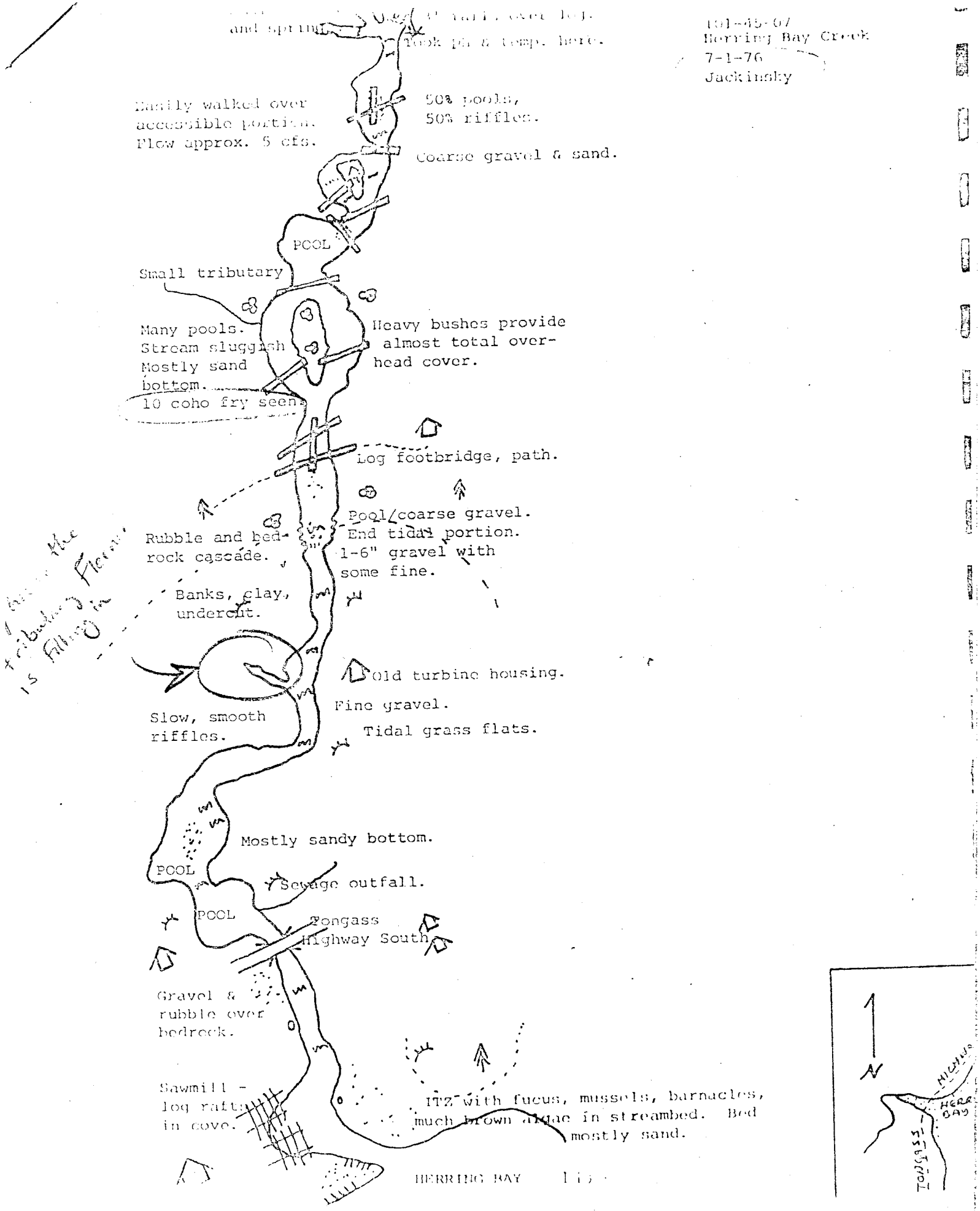
Resource extraction/exploration
__ 51 Surface mining
__ 52 Subsurface mining
__ 53 Placer mining
__ 54 Dredge mining
__ 55 Petroleum activities
__ 56 Mill tailings
__ 57 Mine tailings

Land Disposal (Permitted Activities)
__ 61 Sludge
__ 62 Wastewater
__ 63 Landfills
__ 64 Industrial land treatment
__ 65 Onsite wastewater systems
__ 66 Hazardous waste
__ 67 Septage disposal

Hydrologic Modification
__ 71 Channelization
__ 72 Dredging
__ 73 Dam construction
__ 74 Flow regulation/modification
__ 75 Bridge construction
__ 76 Removal of riparian vegetation
__ 77 Streambank modification
H 78 Draining/filling of wetlands

Other
__ 81 Atmospheric deposition
__ 82 Waste storage/storage tank leaks
__ 83 Highway maintenance and runoff
__ 84 Spills
__ 85 In-place contaminants
__ 86 Natural
__ 87 Recreational activities
__ 88 Upstream impoundment
__ 89 Salt storage sites
__ 99 Septic tank seepage

101-45-07
Herring Bay Creek
7-1-76
Jackinsky



waste gasoline. It should be used. Monrean, for instance, uses his in his chainsaw.

Monrean says that one can mix waste gasoline by adding it, quart by quart, to a full tank of gasoline with no ill effects. If the gasoline has water in it, which was the case in the original letter to the Wavemaker, Monrean suggested separating it with a chamois (chammy to some).

What one can bring to the landfill, Monrean said, is waste oil, diesel and paint. If you have any questions, call 228-5643.

Hogarty wanted to make sure it is understood that those materials do not stay at the landfill. They are collected, tested to make sure they meet specifications, and then taken to be burned at the pulp mill, both she and Monrean said.

Monrean said that a commercial generator of such wastes might do as the Department of Public Works has done, and purchase a Black Gold Waste Oil Burner. Further information on the burner is available from New Air Technologies in Anchorage, Monrean said.

If you have a question or are seeking information, write to the Wavemaker. Your inquiries will be handled promptly and professionally. The Wavemaker's address is P.O. Box 7900, Ketchikan, Alaska 99901.

Planners reject local lumber yard request

Probably 1991

A draft letter to the state regarding proposed expansion by Herring Cove Lumber Co. is scheduled for review by the Ketchikan Gateway Borough Assembly Monday.

The assembly meets at 5:30 p.m. in Ketchikan City Council chambers.

The letter, written by Borough Manager Dave Crow, states that the Planning Commission in 4-3 vote, has found inadequate public need to justify expanding the lumber company, south of the city. The state Division of Governmental Coordination had requested the borough's input on the company's expansion plans.

The lumber company has requested expanding its existing site into 1.3 acres of adjacent estuarine wetland. The area would be used for a log sort yard, according to Crow's draft letter.

Public comments at the Planning Commission meeting included environmental concerns on the wetland.

In its assessment of the issue, the Planning Commission weighed its decision on the requirements of a state regulation, as explained by the assistant attorney general, which considers whether a public need existed for the project.

"That correspondence indicated that the public need must be a need of the general public, that it must be a necessary not a desired action and there must be 'proof' that the general public required the use or activity associated with, in this case, the Herring Bay Lumber Company," according to Crow's letter.

Other business Monday includes:

• A proposal by Mayflower bus company to manage the borough's transit system. Manager Crow has estimated it would cost about $20,000 more annually for Mayflower to operate the system as proposed.

• Consideration of a draft report to the state Local Boundary Commission regarding model boundaries. Planning Director Bruce Phelps recommends no changes to the report and said in a memo that "the criteria and boundaries seem reasonable for the purpose intended."

The commission's recommendations include extending the borough's boundary to encompass Misty Fiords National Park and Preserve, the Quartz Hill Mine and Hyder. Metlakatla would remain a separate unorganized borough, unless those community members sought to become part of the borough. A Prince of Wales Island unorganized borough's model boundaries include Baker Island, Dall Island, Long Island, Lulu Island, San Juan Baotist Island, Sukkwan Island, Suemez Island and portions of Kuiu Island, according to the proposed recommendations.

• Another public hearing is scheduled Monday on a proposed ordinance that would provide nonareawide sewer powers by the borough. This is the second of three public hearings. The third hearing is expected to be set after a work session on the subject, which is proposed for 5:30 p.m. June 24.

• A resolution supporting settlement of the Dixon Entrance boundary dispute also is scheduled for consideration. The resolution is similar to one passed by the City of Craig. It urges the U.S. government to settle the dispute with Canada to protect the local fishing industry, according to the agenda statement.

FROM: Dick Stokes

TO: RonC KETCHIKAN/ADEC

WB F/c
4/(d)

DATE: 05-03-94
TIME: 11:51

CC:
SUBJECT: Herring Cove Lumber Company
PRIORITY:
ATTACHMENTS:

From lots of prior experience, I don't doubt that there are environmental abuses aplenty at Mr. Fleenor's site. Two suggestions. Help and document the help as you have done. Don't step beyond an undefined line or Mr. Fleenor will become your full time job for awhile. Caution is a watchword.
Dick

REPLY FROM: Dick Stokes
FROM: Ron Chaitoff

TO: Barry Hogarty
Ed Emswiler JUNEAU/ADEC
Lester Leatherberry JUNEAU/ADEC
Randy Rice JUNEAU/ADEC
Ron Flinn JUNEAU/ADEC

DATE: 04-21-94
TIME: 16:20

CC: Ketchikan Ron
Dick Stokes JUNEAU/ADEC

SUBJECT: Herring Cove Lumber Company
PRIORITY:
ATTACHMENTS:

The intent of this memo is to document my latest foray into environmental preservation.

On 18 April 1994 this office received a complaint by a private citizen, Mr. Don Hoff (225-6376), who asked to remain anonymous, that there was an oil spill of a significant nature from a leaking oil drum at Herring Cove Lumber Company.

Herring cove Lumber is a relatively small lumber mill that began operation around 1955. It is a two man operation owned by Mr. Ben Fleener of Ketchikan.

On the morning of 19 April I went to the mill to investigate. I met with Mr. Fleener, explained to him some of the major problems and violations, and took pictures. This is what I found:

1. Housekeeping procedures as regards anything, specifically drums of waste oil, lube oil, diesel and gasoline, do NOT exist.

2. There were probably around 50-60 drums in various states of disrepair and in various positions from upright to upside down to laying on their sides. Oil contamination was evident around most of them. According to Mr. Fleener, the drums had held waste oil that he used to help incinerate wood waste.

3. In the area of oiling and fueling areas there were no drip pans, absorbent pads or any other effort made to avoid or minimize ground contamination.

Of course, wood waste was everywhere in addition to tons of scrap iron.

5. Evidence of oil contaminated soil covered a good part of his mill.

6. Supposedly empty oxygen and acetylene cylinders were also just standing in the mill yard, untethered.

I tried to focus my attention on the oil contamination. I explained to Mr. Fleener that the empty drums had to be removed, that drums that he kept on his property had to be stored properly, ie. bungs in, upright, somehow secured so that they would not blow over, etc. We alos discussed good housekeeping practices, drip pans, absorbent pads, etc.

I explained that the present situation was not acceptable, he stated that he knew that and that he knew it was only a matter of time before he was caught! (maybe he used the term found out).

I said I would try to help him clean up the mess. Towards that end I contacted KPC. Katie French, the environmental engineer at the mill said that the mill might take the empty drums. Katie and I visited Herring Cove Lumber today in order that she could inspect the drums. After the inspection, she said they would most likely take all the empty ones (at no cost to Mr. Fleener).

Mr. Fleener thanked me for contacting KPC and my assistance. I told him that this was just the beginning. He had plenty of housekeeping to do. He needed drip pans (Katie French might be able to give him a couple), pads, and GOOD housekeeping! I did not mention total cleanup and remediation (he is elderly and not well), I figured we would take this in steps.

To make matters worse, his property is upland and adjacent to an inlet and opposite from a fish hatchery.

We have a fairly extensive file on Mr. Fleener and the Herring Bay Lumber Company.

In a letter dated 27 January 1992 from Ed Emswiler, he was told to remove scrap metal from his facility. This has not been done.

Letters from 1991 talk about leachate from the wood waste which is still evident.

He has had NOV's for illegal fill, air violations, open burning complaints, water quality violations. Problems go back to 1983.

Well, thats about all for now. The saga continues!

on oo
V

==========