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2009-000198-0

Recording Dist: 310 - Kvichak
9/17/2009 2:45 PM Pages: 1 of 3



2571.38.002

ADEC File No.

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SEP 23 2009

DEPT. OF ENVIRONMENTAL
CONSERVATION

Recording District: Kvichak

After recording, return the original to:
ADEC Contaminated Sites Program
Attn: Grant Lidren
555 Cordova Street
Anchorage, AK 99501

NOTICE OF ENVIRONMENTAL CONTAMINATION

Pursuant to 18 AAC 75.375 Ugashik, LLC, a Wyoming LLC as the owner and operator of the subject property, hereby provides public notice that the property located on the upper Ugashik River, 25 miles northeast of Ugashik village, and more particularly described as follows: **Lot 6 of GRAYLING SUBDIVISION, according to Plat 79-1, filed in the Kvichak Recording District, Third Judicial District, State of Alaska** has been subject to a discharge or release and subsequent cleanup of oil or other hazardous substances, regulated under 18 AAC 75, Article 3, as amended October 9, 2008. This release and cleanup are documented in the Alaska Department of Environmental Conservation (ADEC) contaminated sites database at http://www.dec.state.ak.us/spar/csp/db_search.htm under Hazard ID number 2607.

ADEC reviewed and approved, subject to this and other institutional controls, the cleanup as protective of human health, safety, welfare, and the environment. No further cleanup is necessary at this site unless new information becomes available that indicates to ADEC that the site may pose an unacceptable risk to human health, safety, welfare, or the environment. ADEC determined, in accordance with 18 AAC 75.325 – 390 site cleanup rules, that residual petroleum impacted soil exists on-site above migration to groundwater soil cleanup levels. Contaminated soil appears limited in extent in the subsurface. No drinking water wells exist at the site and groundwater samples collected did not contain contaminants above ADEC cleanup levels. Therefore the groundwater pathway is considered incomplete.

Attached is a diagram drawn to scale that shows the property boundaries, locations of existing structures, and the approximate location and extent of remaining soil contamination.

ADEC's decision not to require additional cleanup action at this time is contingent upon compliance with the following conditions and regulatory requirement:

1. Installation of groundwater wells at this site will require approval from ADEC.
2. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

In the event that information becomes available which indicates that the site may pose an unacceptable risk to human health, safety, welfare or the environment, the land owner and/or operator is required under 18 AAC 75.300 to notify ADEC and evaluate the environmental status of the contamination in accordance with applicable laws and regulations. Further site characterization and corrective action may be necessary under 18 AAC 75.325-.390.

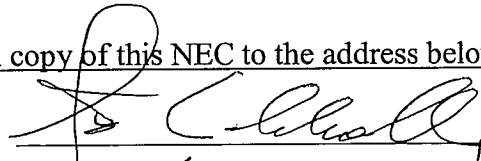
Pursuant to 18 AAC 75.325(i)(1) and (2), ADEC approval is required prior to moving soil or groundwater that is, or has been, subject to the cleanup rules found at 18 AAC 75.325-.370. At this site, in the future, if soil is removed from the site it must be characterized and managed following regulations applicable at that time.

This Notice of Environmental Contamination (NEC) remains in effect until a written determination from ADEC is recorded that states soil at this site has been shown to meet the most stringent migration to groundwater soil cleanup levels in 18 AAC 75.341 Tables B1 and B2 and that off-site transportation of soil is not a concern.

This document will be filed in the Anchorage District Office.

Please return original copy of this NEC to the address below:

Signature:



Printed Name(s):

STEVE CALDWELL

Mailing Address(s):

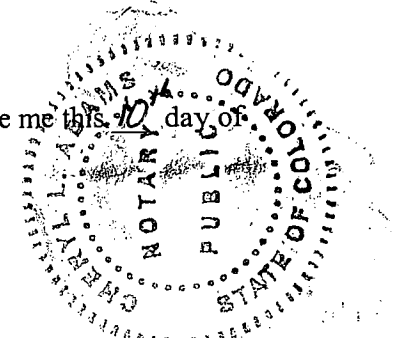
220 WEST 27TH STREET
CHEYENNE, WY 82001

(Notarization seal)

Subscribed and sworn to before me this 10 day of September, 2009.

Notary Public in and for the State of Colorado
My commission expires: 10/09/2012





Note: Please refer to 11 AAC 05.010 (a)(14) for the required fee. The information requested on this form should be typed or legibly printed in English. Any attachments or exhibits must not exceed 8.5" x 14". This form is intended to comply with the recording requirements of AS 40.17.030 and 11 AAC 06.040, please double-check recording requirement.



Attachment

