



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Environmental  
Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE  
Contaminated Sites Program

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www.dec.alaska.gov

File: 2319.26.002

May 4, 2020

Joe Browning  
Kasilof Riverview Lodge  
P.O. Box 254  
Kenai, AK 99610

Re: Kasilof Riverview Lodge  
**Hazard ID:** 22950

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

Dear Mr. Browning:

This standard notification is to advise you of your liability for the contamination identified as Kasilof Riverview Lodge contaminated site is located in Kasilof, AK. Alaska Statute (AS) Title 46 authorizes the State to respond to this pollution incident and to take appropriate action to minimize potential damage to human health, safety or welfare or to the environment. Under Title 46, any Responsible Party may be held financially responsible for any actions taken by the State.

AS 46.03.822 (Strict Liability for the Release of Hazardous Substances) establishes who is financially responsible or liable for the investigation and cleanup of any release or threatened release of a hazardous substance. State records indicate that you meet one or more of the following criteria:

- owned or controlled the hazardous substance at the time of its release;
- own(ed) or operate(d) the property or facility from which the release occurred;
- own or operate the property at which the hazardous substance came to be located; or
- arranged for transport, disposal or treatment of hazardous substances that were released.

**Site History and Background**

Kasilof Riverview Lodge site operates as a gas station and convenience store in Kasilof, AK. The Kasilof Riverview Lodge is located on the east shore of Kasilof River. The Site is located in Township 3, Range 11 West, Section 30, and Seward Meridian. The November 2019, Underground Storage Tank Closures Assessment, found benzene, toluene, ethylbenzene, xylenes, 1,2,4- trimethylbenzene, 1,3,5-

trimethylbenzene, 1,2-dibromoethane, isopropylbenzene, naphthalene, and/or n-propylbenzene in the soils exceeding the ADEC Method Two migration cleanup level. In addition, concentrations of benzene, toluene, ethylbenzene, xylenes, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, naphthalene, and/or n-propylbenzene were found in the soils exceeding the ADEC Method Two Human Health cleanup levels.

The Kasilof Riverview Lodge contaminated site has been added to the ADEC contaminated sites database, which is accessible on-line at the following URL:

<http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/22950>

#### Cost Recovery for State Oversight

AS 46.04.010 (Reimbursement for Cleanup Expenses) and 46.08.070 (Reimbursement for Containment and Cleanup) require that the Alaska Department of Environmental Conservation (ADEC) seek recovery of certain costs, including oversight activities, incurred by the State in responding to the release or threatened release of hazardous substances. Billable oversight expenditures include the direct cost of staff time plus indirect State overhead costs, and could include travel and contractual costs. Billable staff time includes all time spent on activities related to the incident, including site inspections, response and report reviews, correspondence, telephone conversations, meetings, and legal services.

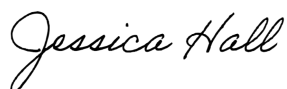
#### Potential for Future State Action

If you are taking adequate actions to clean up this site, ADEC's involvement in those cleanup efforts will be limited to approving characterization and 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 ADEC assumes the lead role, you may be held financially liable for any response actions taken by the State. Failure to reimburse the State for billable oversight and response actions incurred by the State to address contamination at this site may result in the filing of liens against property you own, pursuant to AS 46.08.075.

If you have specific questions regarding the investigation and cleanup of this site or if you believe someone else may be responsible for this pollution incident, you can reach me at 907-269-7553 or via email at [Jessica.hall@alaska.gov](mailto:Jessica.hall@alaska.gov)

If you have questions about your liability under Alaska Statute, 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,



Jessica Hall  
Environmental Program Specialist  
ADEC Contaminated Sites Program

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