



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Environmental  
Conservation

SPILL PREVENTION & RESPONSE  
Contaminated Sites Program

610 University Avenue  
Fairbanks, Alaska 99709  
Main: 907.451.2143  
Fax: 907.451.2155  
[www.dec.alaska.gov](http://www.dec.alaska.gov)

DEC File No.: 100.26.030

Certified Mail, Return Receipt Requested  
Article No. 9589 0710 5270 0622 4716 43

March 26, 2024

Brett Carlson,  
Wright Air Service, Inc  
PO Box 60142  
Fairbanks, AK 99709

Re: FIA - ERA Aviation, Inc. (#1)  
Hazard ID: 24271

Dear Mr. Carlson

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

This notification letter is to advise you of your liability for the contamination identified at the FIA - ERA Aviation, Inc. (#1) site located at 3852 University Ave. S in Fairbanks. 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

Underground storage tanks (USTs) included three, 500-gallon gasoline USTs and a fuel dispenser island were removed from the site in 1991, a 5,000-gallon Jet B UST and dispenser were moved in 1992 and the final 5,000-gallon Jet B UST was removed in 1994. Contaminated soil was encountered during excavation activities

and was removed. However, some contamination remained at the base of the excavations and beneath the foundation of the hanger. An air sparge and soil vapor mitigation system was operated for several years, however contaminated soil and groundwater remain beneath the hanger and the base of the former excavations. Wright Air Service leases the airport lot where the contamination remains.

The FIA - ERA Aviation, Inc. (#1) site has been added to the Alaska Department of Environmental Conservation (DEC) Contaminated Sites database, which is accessible here:

<https://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/24271>.

#### 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 DEC 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, DEC'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, DEC may assume the lead role in the investigation and cleanup efforts. In the event that DEC 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.

You will be receiving a separate letter requesting specific actions to conduct necessary site characterization or cleanup activities. 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 907-451-2752 or via email at [[Shawn.Tisdell@alaska.gov](mailto:Shawn.Tisdell@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) 465-1229 or by email at [dec.spar.cr@alaska.gov](mailto:dec.spar.cr@alaska.gov).

Sincerely,

Shawn Tisdell  
Project Manager  
DEC Contaminated Sites Program

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