



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Environmental
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

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File No. 100.26.201

February 16, 2024

Brett Carlson
Sukakpak Inc.
3822 University Ave. Block 100 Lot 12A
Fairbanks, Alaska

Subject: FIA – Larry’s Flying Service – Block 100 Lot 12A
Hazard ID: 25513

Dear Mr. Carlson,

This letter is to advise you that a contaminated site has been identified at the FIA Larry’s Flying Service – Block 100 Lot 12A, 3822 University Ave in Fairbanks, Alaska. Since you are identified as a lease holder of this site, you may be financially responsible or liable for the investigation and/or cleanup of any hazardous substance contamination that might be present.

Alaska Statute 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. Records available to the Alaska Department of Environmental Conservation (DEC) 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

Alaska Department of Environmental Conservation (DEC) records indicate that contamination at this site was initially found in 2009 during the removal of two 3,000-gallon underground storage tanks used to store aviation fuel. During a subsequent 2019 sampling event performed by Alaska Resources and Environmental Services, all soil samples were below DEC cleanup levels for contaminants of concern. However, groundwater monitoring performed in 2016,

2018, and 2019 has shown at least one exceedance of gasoline and diesel range organics (GRO and DRO), dibromoethane (EDB), and lead at different times, indicating the plume has not stabilized. Additional monitoring is needed to assess groundwater conditions and the remaining groundwater plume.

The FIA – Larry’s Flying Service site can be found on the DEC Contaminated Sites database, here is a link to the site record:

<https://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/25513>

Cost Recovery for State Oversight

In accordance with Alaska Statute Title 46, DEC is authorized to provide regulatory oversight for any contamination response efforts initiated by the responsible party. However, if the response actions conducted by the responsible party are not satisfactory to DEC, we may assume the lead role in the investigation and cleanup efforts. In the event that State response actions are necessary, the responsible parties may be held financially liable for any response actions taken by the State.

Alaska Statutes 46.04.010 (Reimbursement for Cleanup Expenses) and 46.08.070 (Reimbursement for Containment and Cleanup) establish cost recovery procedures for certain costs, including oversight activities, incurred by the State in responding to pollution incidents. If you are determined to be a responsible or liable party, DEC may bill you at a later date for our expenditures associated with this site. Those expenses may 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. Per Alaska Statute 46.08.075, the State may also file liens against all property owned by a person who is responsible or liable for State expenditures.

For more information, here is a link to a *Cleanup Process* fact sheet which briefly summarizes the major elements of Alaska’s Contaminated Sites Regulations (Alaska Statute Title 46 and Title 18 of Alaska Administrative Code, Chapter 75, or “18 AAC 75”, See article 3) and describes the general cleanup process: <https://dec.alaska.gov/spar/csp/faq/cleanup-process>. Alaska regulations 18 AAC 75 and 18 AAC 78, for regulated underground storage tanks, can be found here: <https://dec.alaska.gov/spar/regulations>.

DEC staff are available to assist you in complying with Alaska regulations and answer your questions. 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 907-269-7695 or via email at livia.bracker@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.

Mr. Carlson
FIA – Larry’s Flying Service

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02/16/2024

Sincerely,

Livia Bracker

Livia Bracker
Project Manager
ADEC Contaminated Sites Program

cc, via email: SPAR Cost Recovery Unit: dec.spar.cr@alaska.gov
Jamie McKellar: Jamie.mckellar@alaska.gov
Tim Sharp: tim.sharp@alaska.gov