



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Environmental
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

P.O. Box 111800
Juneau, AK 99811-1800
Main: 907-465-5390
Fax: 907-465-5218
www.dec.alaska.gov

File: 300.38.153

May 31, 2024

Sent via electronic mail only

ConocoPhillips Alaska-Anchorage
PO BOX 100360
Anchorage, Alaska 99510
ATTN: Sarah Kenshalo
Sarah.M.Kenshalo@conocophillips.com

Re: Institutional Controls verification for ConocoPhillips DS 2A Diesel Spill, Kuparuk Oil Field, Prudhoe Bay

The Contaminated Sites Program conducts periodic verification of closed sites where institutional controls (land use restrictions) are required under 18 AAC 75.375. We have identified ConocoPhillips DS 2A Diesel Spill as a site with institutional controls.

As the current owner of the property, you should be aware that there are ongoing obligations for this site.

In order to prevent people from being exposed to any remaining contamination on the property, **this letter is being sent as a reminder** of the conditions placed on the property as part of the 2010 Record of Decision document granted by the Alaska Department of Environmental Conservation (ADEC). At the time of closure, soil contamination was documented as remaining on the property.

Policy and regulations have evolved since this site was closed with conditions in 2010. Please be advised that the ConocoPhillips DS 2A Diesel Spill site is subject to the following standard and site-specific conditions and/or institutional controls:

1. Any future change in land use may impact exposure assumptions cited in the 2010 Decision Document. If land use and/or ownership changes, current ICs may not be protective and ADEC may require additional remediation and/or ICs. **Therefore, the current and any future owners shall report to ADEC every five years to document land use, or report as soon as they become aware of any change in land ownership and/or use, if earlier.** The report can be sent to the local ADEC office or electronically to CS.Submittals@alaska.gov.

2. ADEC approval is required prior to moving any soil or groundwater off any site that is, or has been, subject to the site cleanup rules [see 18 AAC 75.325(i) / 18 AAC 78.600(h)]. A “site” [as defined by 18 AAC 75.990 (115) / 18 AAC 78.995(134)] means an area that is contaminated, including areas contaminated by the migration of hazardous substances from a source area, regardless of property ownership. In the future, if soil will be excavated or groundwater will be brought to the surface (for example to dewater in support of construction) it must be characterized and managed following regulations applicable at that time and ADEC approval must be obtained before moving the soil or water off the property. *This is a standard condition.*
3. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited. *This is a standard condition.*
4. Groundwater throughout Alaska is protected for use as a water supply for drinking, culinary and food processing, agriculture including irrigation and stock watering, aquaculture, and industrial use. Contaminated site cleanup complete determinations are based on groundwater being considered a potential drinking water source. In the event that groundwater from this site is to be used for other purposes in the future, such as aquaculture, additional characterization and treatment may be required to ensure the water is suitable for its intended use. *This is a standard condition.*
5. When contaminated soil is accessible, remediation should occur.

In addition to the conditions above, you are required to notify the ADEC if there are any changes in land use or ownership. Failure to maintain these requirements may result in re-opening the site by the Contaminated Sites Program, in which case, further remediation could be mandatory.

In accordance with 18 AAC 75.380(d)(2)/ 18 AAC 78.276 (f), ADEC may require additional site assessment, monitoring, remediation, and/or necessary actions at this facility should new information become available that indicates contamination at this site may pose a threat to human health or the environment.

If you seek to have the institutional controls removed from this site, you can choose at any time to voluntarily conduct additional assessment, monitoring, or further cleanup to demonstrate that contamination at the site now meets the applicable cleanup levels under 18 AAC 75/18 AAC 78.

This site information is a matter of public record and is available at ADEC’s online database record at: <http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/3976>

The ADEC will issue a reminder letter such as this on a scheduled basis, every five years. If you have any questions regarding this site, please contact Evonne Reese at (907) 465-5229 or evonne.reese@alaska.gov and she will be glad to assist you.

May 31, 2024

Sincerely,

A handwritten signature in blue ink that reads "Evonne Reese". The signature is written in a cursive, flowing style.

Evonne Reese
Environmental Program Specialist
Institutional Controls Unit

Encl: 2010 Record of Decision