



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: 840.38.004

September 24, 2024

Nulato Tribal Council
P.O. Box 65049
Nulato, AK 99765

Re: Institutional Controls verification for a Nulato Residence Home Heating Oil Tank (HHOT),
located at Block 2 Lot 4, Nulato, AK 99765

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 Residence – Block 2 Lot 4 Nulato HHOT as a site with institutional controls.

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 2011 Cleanup Complete with Institutional Controls Determination granted by the Alaska Department of Environmental Conservation (ADEC). At the time of closure, soil contamination was documented as remaining on the property. The contamination is from a 2007 incident in which snow fell from the roof house on to the fuel line of the home's heating oil tank releasing approximately 284.5 gallons of diesel. Contaminated soil and snow was removed to the practicable limit but there is likely still a large portion of contaminated soil underneath the building.

The 2011 determination is subject to the following site-specific conditions and/or controls:

1. Any future change in land use may impact exposure assumptions cited in the Record of 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 Nulato Tribal Council shall report to ADEC every five years or 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 DEC.ICUnit@alaska.gov.
2. A Notice of Environmental Contamination has been filed with the State of Alaska Records Office for this property, noting the likely presence of contaminated soil that remains at the property.
3. Installation of groundwater wells will require approval from ADEC.
4. Any proposal to transport soil or groundwater off site requires ADEC approval in accordance with 18 AAC 75.325(i). A "site" [as defined by 18 AAC 75.990 (115)] means an area that is

contaminated, including areas contaminated by the migration of hazardous substances from a source area, regardless of property ownership.

5. Soil contamination may be located under the building. When the soil becomes accessible, it must be evaluated and contamination addressed in accordance with an ADEC approved workplan.
6. Movement or use of contaminated material in a manner that results in a violation of 18 AAC 70 water quality standards is prohibited.

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), 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.

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/4583>

If you have any questions regarding this site, please contact me at (907) 465-5229 or evonne.reese@alaska.gov and I will be glad to assist you.

Sincerely,



Evonne Reese
Environmental Program Specialist
Institutional Control Unit

Enclosure: 2011 Cleanup Complete Determination with Institutional Controls