STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF SPILL PREVENTION AND RESPONSE
CONTAMINATED SITES PROGRAM

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File: 320.38.007

March 18, 2005

Certified Mail, Return Receipt Requested
Article No. 7000 1530 0001 6496 9863

FAA Regional Administrator
FAA Alaskan Region, AAL-471B
222 West 7th Avenue, Box 14
Anchorage, AK 99513-7587

Re: Potentially Responsible Party Notice – Request for Response
Federal Aviation Administration (FAA), Camp Lonely Landfill

To Whom it May Concern:

The Alaska Department of Environmental Conservation (ADEC) has become aware of an eroding landfill causing apparent soil and water contamination at the former US Geological Survey (USGS)/ Cook Inlet Regional Inc. (CIRI)/Camp Lonely landfill (also known as the Husky Oil Landfill). The site is located on the North Slope, adjacent to the Beaufort Sea. The legal description for the property is SE ¼ section 18, T18N, R5W, Umiat meridian, in the Teshekpuk D-1 quadrangle. Currently the land is owned by the Bureau of Land Management (BLM) and leased to CIRI. This letter is being sent to the FAA because the ADEC has determined that the FAA may be responsible for responding to solid waste and oil/hazardous substance contamination at the Camp Lonely landfill formerly used by Husky Oil Company and the Air Force during the 1970s and 1980s. A meeting was held between many of the potentially responsible parties on March 17, 2005 and it was determined that the Federal Aviation Administration might have also placed hazardous waste (batteries) in the Camp Lonely landfill.

Background

In June 2004, the U.S. Air Force (USAF) 611th Civil Engineering Squadron staff and environmental consultants, along with BLM staff conducted a reconnaissance survey of sites at and near Point Lonely on the North Slope. They found the old landfill at the Lonely/CIRI/Husky Oil Camp (located approximately one mile west of Pt. Lonely) eroding into a lagoon adjacent to the Beaufort Sea. Photographs of oil sheen on surface water were taken by a USAF environmental consultant and USAF staff. The consultant described free product migrating to or along the lagoon. There are approximately 50-60 drums exposed by erosion, and large quantities of miscellaneous metal debris abandoned on the surface of the site. BLM staff also reported observing batteries in the landfill.

The USAF collected two soil samples near a visible oil seep at the landfill during their reconnaissance survey. The samples were analyzed for polychlorinated-biphenyls (PCBs) and

diesel range organics (DRO). PCBs were not detected and DRO was found up to 2,570 mg/kg in the soil.

After reviewing the ADEC Solid Waste permitting files, the following is evident:

- ADEC issued a solid waste permit to USGS and Husky Oil Company in 1977 and 1978, which expired in 1981 (Permit No. NR-32-77).
- ADEC issued a solid waste permit to CIRI in 1983, which expired in 1988 (Permit No. 8331-BA001).
- ITT/Felec Services, a contractor for USAF, sampled the landfill and found high levels of chromium in 1986.
- ITT/Felec Services attempted closure of the landfill in 1989, but it was not closed out due to failure to submit required documentation.

Legal Basis and Requirements

Alaska Statute 46.03.822 establishes who is liable in a pollution incident. Records available to the ADEC indicate that the FAA, Air Force, Navy, CIRI, USGS, BLM, ITT Industries (for ITT FELEC), and Husky Oil Ltd. (for Husky Oil Company – NPR Operator) each appear to meet at least one of the following criteria:

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

ADEC is responsible to ensure that solid waste disposal and oil/hazardous substance releases are addressed in accordance with state regulations. Alaska state law (18 AAC 75.300-.380) requires responsible parties to notify the ADEC when an oil or hazardous substance discharge or release to the environment occurs and requires site characterization and cleanup (18 AAC 75.325-.380). Solid waste regulations (18 AAC 60) define the disposal, monitoring, closure, and post-closure requirements for landfills.

Please be aware, Alaska Statute 46.08.070 requires that the State seek recovery for certain costs, including oversight activities, incurred in responding to pollution incidents. If you are determined to be a responsible party, the State will bill you at a later date for State expenditures associated with this pollution incident. Billable State expenditures include the direct costs of State staff time and indirect State overhead costs, as well as travel, contractual and materials costs, and interest. Billable State staff time includes all time spent on activities related to the incident, including site visits, response and report reviews, telephone conversations, meetings, and legal services.

ADEC staff attempts to limit costs resulting from oversight; our primary goal is to bring about cleanup which protects public health and the environment, both now and in the future. In general, the sooner an environmental concern is resolved, the lower the oversight costs will be.

ADEC would like to assist you in cleaning up this contamination. As long as you are taking adequate response actions, State action will be limited to reviewing and approving cleanup plans, monitoring the progress of cleanup activities and providing guidance as necessary.

If ADEC determines that response actions are not satisfactory, the State is authorized, under Alaska Statute Title 46, to undertake response actions. If State response actions are necessary, the responsible parties may be held financially liable for any response actions taken by the State. Recoverable costs include personnel salaries, travel, contracts, legal fees, indirect costs and interest and other costs associated with the response.

Information Request and Response

In an effort to obtain more information about the site, we request you respond to the enclosed information request form. You may assert a claim of confidentiality for any part of the information if the information constitutes a trade secret or is otherwise expressly protected by Alaska or Federal Law. Compliance with this information request is mandatory. Failure to provide a full and correct response to this request is a violation of 18 AAC 75.300 and of an investigation being conducted by ADEC pursuant to AS 46.03.020(7) for which an administrative or court order may be issued.

If you are aware of any other persons who may be responsible for the release at this site, we encourage you to provide us with their identity and the reason you believe they are potentially responsible.

The purpose of this letter is to inform you of the pollution problem, gather additional background information, and initiate a dialog between potentially responsible parties to develop a mutually acceptable cleanup approach that is protective of human health and the environment.

ADEC requests that you respond to the enclosed information request within two weeks of receipt, provide any other pertinent information, and describe steps you are willing to take to address this matter.

Emily Youcha is the ADEC project manager assigned to this site. If you have any questions please contact her at (907) 451-2180 or by email at emily_youcha@dec.state.ak.us.

Sincerely,

Emily Youcha
Environmental Specialist

Sincerely,

Michael Jaynes
Environmental Specialist

Enclosure: PRP Information Request

cc (via email): Jennifer Roberts, ADEC Contaminated Sites Section Manager
Steve Mulder, Attorney General's Office

ADEC Potentially Responsible Party Information Request Form

RE: Camp Lonely Landfill – erosion of solid waste and oil/hazardous substance release

Please precede each answer with the number of the question to which it corresponds. Please submit your responses and direct any questions concerning this information request to Emily Youcha, 610 University Avenue, Fairbanks, AK 99709-3643, or by phone (907) 451-2180.

1. Provide name and company affiliation of the person answering the questionnaire.

2. Provide information on who placed, stored, or disposed of wastes at the site, the types and volumes of wastes placed, stored, or disposed of at the site, and when these activities occurred.

3. Provide copies of all studies, reports, and supporting information (including pre-acquisition assessments and work done on behalf of other parties) which you have knowledge of which address past and/or present environmental conditions at the site. Identify the name, title, address, and phone number of the party(s) who are responsible for preparing the studies or information. Information which has been previously submitted need not be submitted again (unless specifically requested in a subsequent communication) if you can provide the name of the office (and name and title of the ADEC representative, if known) to whom the report was previously provided.

4. Provide a description of any ongoing or planned investigations or cleanup work at the site. Identify the names, titles, and phone numbers of the individuals responsible for preparing the studies or information.

5. Provide a description of known releases at the site (date of occurrence, quantity released, type of substance released, etc.) and a description of corrective measures that were taken. Provide information on any suspected releases, which may have occurred or are occurring.

6. Describe the nature of past and present operations at the site, in particular, any actions that may have caused the release or threat of release at the site.

7. Identify persons to whom you leased all or a portion of the property and describe the nature of their operations.

8. Provide a list of persons, and their phone numbers and addresses, who have knowledge about the use, storage or disposal of hazardous materials at the site.

9. Provide other relevant information on the site history, operations, cleanup work, or agreements that may be applicable to this matter.

10. Provide information regarding the existence of insurance coverage for damages resulting from releases of hazardous substances and copies of all such insurance policies, both currently in effect and in effect during the periods of activity in question.

Thank you for your cooperation in this matter.