

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<u>WS</u>	<u>DATE:</u>	October 24, 2017
<b>WORK SESSION: Byford Junkyard Treated Soil Disposal Options</b>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
		<b>Expenditure Required:</b>		
Lisa Von Bargaen, Borough Manager		\$0		
		<b>Amount Budgeted:</b>		
		\$0		
		<b>Account Number(s):</b>		
		N/A		
		<b>Account Name(s):</b>		
		N/A		
<u>Reviews/Approvals/Recommendations</u>		N/A		
_____	Commission, Board or Committee		<b>Unencumbered Balance(s) (prior to expenditure):</b>	
Name(s)			N/A	
_____	Attorney			
_____	Insurance			
<b>ATTACHMENTS:</b>				
1. Letter from ADEC-September 27, 2017; 2. CBW Letter to ADEC-September 12, 2017				

**RECOMMENDATION:**

None. Work Session discussion only.

**SUMMARY STATEMENT:**

ADEC responded to the Borough’s letter of September 12<sup>th</sup> requesting process and timeline clarification for disposal options associated with the treated soil from the Byford Junkyard. In response to questions about an alternate on-island disposal site, ADEC responded the timeframe for options would close at the end of September, 2017. The letter from ADEC was not sent until September 28<sup>th</sup>. ADEC also stated funding would have to be made available from another source to determine site suitability and prep work. The cost is approximately \$1.1 million.

In the formal press release delaying the project, ADEC said if alternate options were not found, the project for the monofill site would resume in early April of 2018. This is driving the deadlines for alternative options. It would be helpful to know how and why the April re-start date was determined.

Is there the possibility of moving the re-start date in order to allow sufficient time for due diligence on alternative options? It would also be helpful to know if there is the ability to ask the State for additional funding for the due diligence if another viable site is identified.

Regarding off-island disposal, ADEC has given a deadline of February 1, 2018 for commitment of additional funds in the amount of \$8 million. The question of the April deadline comes up again. And, the estimate for off-island disposal has changed throughout this process. It would be helpful to know the line item detail of the estimate.

Administration met with WCA regarding the letter and has invited them to be part of the work session with the Assembly on this topic.

Questions for consideration at the work session (certainly not an exhaustive list):

- Should ADEC be asked for an extension to the April re-start date and therefore additional time to find an alternative on-island location?
- Who will be tasked with locating alternatives?
- What type of public process will be developed to communicate about sites being reviewed?
- Is the Borough/WCA willing to provide match funding for site evaluation and prep work as requested by ADEC?
- Should ADEC be asked to reconsider funding the site evaluation and prep work on an alternative site?
- Should federal sources be tapped for off-island disposal?
- Who will be tasked with contacting the federal delegation to ask for assistance?
- Is this the most important project the Borough/WCA have in terms of funding requests at the federal level? What are the opportunity costs for other funding support if we request this assistance?

A number of important topics need to be discussed. Administration looks forward to the conversation with the Assembly and WCA.



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

## Department of Environmental Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE  
Contaminated Sites Program

555 Cordova Street  
Anchorage, Alaska 99501  
Main: 907.269.7545  
Fax: 907.269.7687  
www.dec.alaska.gov

File: 1529.38.006

September 27, 2017

Lisa Von Bargaen  
Borough Manager  
City and Borough of Wrangell  
PO Box 531  
Wrangell, AK 99929

RE: Soil Disposal Options for the Wrangell Junkyard Cleanup, Hazard ID# 3295

Dear Ms. Von Bargaen:

Thank you for your letter on September 8, 2017, requesting information about The Alaska Department of Environmental Conservation's (ADEC) process and necessary steps for completing the project should an alternative, such as offsite disposal or a different location for the monofill, become available.

I have provided responses to each of your five questions as follows:

1. If an alternative on-island disposal location is identified by the community, what is the formal process required to request that ADEC review the site for viability, and is funding available through ADEC to conduct the site testing necessary to determine viability?

As you are likely aware, during 2016, ADEC, the City and Borough of Wrangell, and the Department of Natural Resources (DNR), gave considerable attention to evaluating all the potential sites available in the Wrangell area that were either on City or State land.

It is ADEC's understanding that there are no other viable sites on either City or State land beyond those that were evaluated. United States Forrest Service (USFS) land would not be an option, and no privately held land is likely to materialize. Other state land managed by the Division of Forestry will be strictly for forest related uses. State land was chosen in large part because the DNR had a share in the liability for contamination at the junkyard property where it had encroached onto state land. Therefore, the contribution of state land for the monofill allowed the agency to provide an in-kind contribution for the cost of the cleanup of that part of the contamination.

The State is willing to take a look at other sites only if they have a strong potential to be suitable and would agree to cover the costs to consider their viability as far as a. and b., below. If a viable alternative site were to materialize in the borough, several issues would need to be addressed:

- a. The site would need adequate space to contain the volume of soil.
  - b. The site would need to meet the criteria under the Solid Waste Program for constructing a monofill. These include:
    - A new landfill must be at least 500 feet from a drinking water well. (A similar setback should be considered in an area in which surface water is the drinking water source.)
    - The base of the landfill must be at least 10 feet above the highest measured level of the uppermost aquifer, unless the landfill is built two or more feet above the natural ground surface.
    - The landfill cannot be located on a slope with more than a 10% grade.
    - The landfill cannot be located in a wetland unless there is no practicable alternative.
  - c. If on State land, a DNR Development Plan would need to be completed and potentially a public notice would be issued. This process took about three months for the current location. Subsequent steps listed below cannot be completed until DNR has provided its concurrence for the site. If the alternative parcel is under other ownership, other permits or requirements may need to be fulfilled depending on the terms of the landowner.
  - d. For any location, a hydrologic and leaching evaluation would need to be completed. This would take about three months including procurement time, but depends on the time of year, weather and site accessibility.
  - e. For any location, a new engineering design would need to be developed. The design for the current site was completed by the Environmental Protection Agency (EPA) contractors as a contribution to the project by the agency. This service would not be available to us a second time. We anticipate it would be more expensive for ADEC to contract and obtain a new engineering design document than it was for EPA. Design time for this project took approximately five months following completion of the hydrologic and leaching study. Additional time would be required for the procurement process.
  - f. For a parcel of undisturbed land, additional costs and time include constructing road access, clearing, and excavation to prepare the site.
  - g. For a parcel located further from the junkyard site than the current monofill location, there will be additional costs for fuel and haul time.
  - h. Adequate funding would need to be available to complete the study, design, construction and disposal.
2. If an alternative site is found to be viable, is funding available through ADEC for design and engineering of a monofill solution at the new site?

Due to the amount of funding committed to this current location, ADEC would not be able to consider an alternative location without significant additional funding from some other source. At the time of this writing, costs incurred for siting the monofill at the current location include:

DNR Development Plan, Hydrologic and Leaching Evaluation:	\$ 112,000
Engineering Design	\$ 100,000
Mobilization, Permitting, and Site Preparation July-October 1:	\$ 920,000
State oversight costs:	\$ 63,000
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Total:	\$ 1,195,000

3. What is the deadline by which an alternative location would need to be identified in order for all necessary work to be done so the contaminated soil could be transported in 2018?

Unfortunately, even if a site were settled on by the end of September 2017 and sufficient funding for this new option was secured, there would not be adequate time to do the necessary scientific and engineering work, followed by site preparation, to complete transport of all the treated material during the calendar year of 2018.

4. If additional funding is sought for off-island disposal, what is the deadline by which those funds need to be secured?

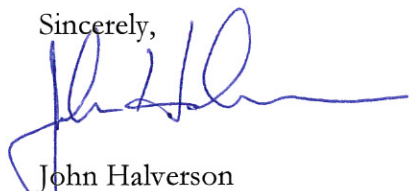
In order to complete shipment of all the material in 2018, a firm funding commitment would be needed at least two months prior to April 1, 2018 in order to complete the necessary procurement modifications with contractors, for contractors to coordinate, procure, and ship containers to the site, and to secure a loading and staging area in Wrangell that has adequate space for storing the containers and barge access. The local shipping yard lacks this capacity.

5. The estimated cost for off-island disposal is \$12 million. The current on-island disposal cost is \$5.7 million. If additional funding is obtained, but is not enough to fully bridge the \$6.3 million gap, would the State be willing to release additional funds?

The State has allocated 5.7 million for the project as currently scoped. Please understand that upon the conclusion of work this fall, the remaining balance for this project will be significantly less than \$5.7 million by April 1, 2018, and due to project delays this past summer, supplemental funding may be necessary to carry the project through to completion in 2018. Whatever funding remains for this project would be eligible for the effort to ship the material off-island, but the community would need to secure the balance of what is required, which will be in excess of \$6.3 million and more likely around \$8 million.

We look forward to continuing to work with the City and the community to complete this project in a timely manner that is both protective of human health and the environment and compliant with applicable requirements. Feel free to contact me at 269-7545, or Sally Schlichting at 465-5076, any time if you have questions or want to discuss the project.

Sincerely,



John Halverson  
Environmental Program Manager  
ADEC Contaminated Sites Program

cc: Sally Schlichting, DEC SPAR/CS (via email)



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381  
Wrangell, AK 99929 FAX (907)-874-3952

September 12, 2017

State of Alaska  
Department of Environmental Conservation  
SPR-Contaminated Sites Program  
Mr. John Halverson  
555 Cordova Street  
Anchorage, Alaska 99501  
[john.halverson@alaska.gov](mailto:john.halverson@alaska.gov)

Re: Wrangell Junk Yard Clean-Up, Phase II

Dear Mr. Halverson:

The City and Borough of Wrangell is immensely appreciative of the work that has been accomplished so far, and the work that continues, by ADEC staff and contractors related to the clean-up of the Wrangell Junk-Yard. It has become clear members of the community have concerns regarding the proposed monofill site in the vicinity of Pats Creek, Pats Lake and the area watershed. As you know that area is used as an important hunting and gathering location for the Tribal members. And, the area is a well-used recreation site.

Responding to community concerns ADEC held a public meeting in August at which it was reported the lead-contaminated soil would not be moved this year. A press release was issued on September 7, 2017 confirming the postponement until the spring of 2018 to "...give the community more time to study the local disposal plan and to seek additional funding for shipping the material out-of-state if the community is not satisfied with the local disposal plan." The press release further gives a deadline of April 1, 2018 for additional funding to be secured or the project will move forward as originally planned. At the August meeting in Wrangell it was also indicated ADEC would consider an alternative on-island disposal location if a viable option was presented.

The Borough is respectfully requesting clear process and deadline information related to the following questions:

1. If an alternative on-island disposal location is identified by the community, what is the formal process required to request that ADEC review the site for viability;

- and is funding available through ADEC to conduct the site testing necessary to determine viability?
2. If an alternative site is found to be viable, is funding available through ADEC for design and engineering of a monofill solution at the new site?
  3. What is the deadline by which an alternative location would need to be identified in order for all necessary work to be done so the contaminated soil could be transported in 2018?
  4. If additional funding is sought for off-island disposal, what is the deadline by which those funds need to be secured?
  5. The estimated cost for off-island disposal is \$12 million. The current on-island disposal cost is \$5.7 million. If additional funding is obtained, but is not enough to fully bridge the \$6.3 million gap, would the State be willing to release additional funds?

No formal discussion or decision has been made by the Assembly regarding alternative solutions. Answers to these questions will help the community understand what is necessary to seek alternative options, and the timeframe in which this must be done. Please contact me with any comments or questions. I can be reached by email at [lvonbargen@wrangell.com](mailto:lvonbargen@wrangell.com) or by phone at 907-874-2381.

Sincerely,



Lisa Von Bargen  
Borough Manager