



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Environmental
Conservation

OFFICE OF THE COMMISSIONER

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May 27, 2021

Secretary Lloyd Austin III
Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Secretary Debra Haaland
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Secretary Tom Vilsack
Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250

Subject: Federal Responsibility for Contaminated Sites in Alaska

Dear Secretary Austin, Secretary Haaland, and Secretary Vilsack,

The State of Alaska seeks your support in addressing contamination on at least 70 sites conveyed to the State of Alaska by the federal government. While some responsible federal agencies have been working with the Department of Environmental Conservation (DEC) and the state landowners to address the contamination, others have not engaged in a serious effort to remediate sites. Moreover, even where agencies have engaged earnestly, significant funding limitations have hampered timely cleanup.

Cleaning up the environmental damage that harms communities and poses a risk to public health and safety is both an economic and moral imperative that the federal government should act quickly to address. These sites include many former military installations, as well as schools, tank farms, oil exploration sites, and abandoned mines. Contaminants remaining at these sites include petroleum, heavy metals, and polychlorinated biphenyls (PCBs). Many of the sites are located within or adjacent to rural, predominately Alaska Native, communities. In some cases, contamination presents substantial risks to these populations or is preventing the beneficial re-use of otherwise valuable real estate. It is the responsibility of the federal agencies to correct this environmental injustice.

There are many examples of sites that have been completely neglected by the federal government. Some of the most concerning of these are the Bureau of Indian Affairs (BIA) schools. Historically, BIA owned and operated approximately 150 schools in Alaska. The tank farms and other fuel facilities at these schools had numerous documented spills that have left a legacy of contaminated soil and groundwater. Over time, these schools were conveyed to various parties, including the State of Alaska, school districts, local governments, and other political subdivisions of the state. Although BIA has engaged with DEC on a few sites, such as the Kotzebue School and the White Mountain Drum Dump, letters to BIA in 2014 and 2019 addressing the larger site list have gone completely unanswered. Many of these sites are in communities where resources for cleanup are limited. In many cases contamination on these properties is affecting potential reuse of valuable land in the heart of the community, which historically grew around the BIA school.

Where responsible agency representatives have sought to address contamination, funding challenges often limit progress. One example is the Umiat landfill that has been leaching contaminants for decades into the Colville River. The Formerly Used Defense Sites (FUDS) program (through the U.S. Army Corps of Engineers) has completed a series of investigations at the site and approved a plan to address the contamination, but cleanup is currently funded only through the design phase. Additional funding must be obtained for the immediate completion.

In an effort to move forward with this long-standing problem, please fulfill your obligations and direct each responsible federal agency to:

- 1) Compile a list of contaminated sites for which it is responsible and complete site verification for sites where contamination is suspected, but not confirmed;
- 2) Within 30 days of receipt of this letter, provide DEC with a detailed work plan to investigate and perform clean up at those sites that are not already being actively addressed on an established and reasonable timeline; and finally
- 3) Pursue the funding needed to complete the necessary work for these federal environmental liabilities in a proactive timeframe.

The federal government has a moral and legal responsibility to address these contaminated sites, which have already languished for far too long. Thank you for your attention to this matter.

Sincerely,



Jason W. Brune
Commissioner



Treg R. Taylor
Attorney General

cc: Sara Taylor, Congressional Affairs and Policy Advisory, DOI, Alaska
David Schmidt, Regional Forester – Alaska Region
Jason Brune, Commissioner, DEC
Emma Pokon, Deputy Commissioner, DEC
Tiffany Larson, Director, Division of Spill Prevention & Response, DEC
Jennifer Currie, Senior Assistant Attorney General, DOL

Senator Lisa Murkowski
Senator Dan Sullivan
Representative Don Young