



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

Jason W. Brune
Commissioner
Department of Environmental Conservation
State of Alaska
Post Office Box 111800
Juneau, AK 99811-1800

Dear Commissioner Brune:

Thank you for your letters of May 27, 2021, regarding sites conveyed out of Federal ownership to Alaska Native corporations through the Alaska Native Claims Settlement Act (ANCSA) and to the State of Alaska through the Alaska Statehood Act. This letter serves as a response to the three separate letters received by the Department of the Interior (DOI) from the Alaska Department of Environmental Conservation (ADEC). I apologize for the delay and any resulting inconvenience as we worked to coordinate a response to the important issues raised in these inquiries.

In the Bureau of Land Management's (BLM) 2016 Updated Report to Congress on behalf of DOI, *Hazardous Substance Contamination of Alaska Native Claims Settlement Act Lands in Alaska* (2016 Report), the bureau summarized the significant progress made by both ADEC and BLM as part of a collaborative multiagency effort to develop an inventory of potentially contaminated sites that have been conveyed to Alaska Native corporations (Inventory). While the 2016 Report recommended that ADEC host the ANCSA Contaminated Site Database, the BLM continues to provide that service to the public. Developing an accurate, working Inventory is the essential first step in completing a comprehensive database of contaminated sites on conveyed lands, and the ADEC is uniquely positioned among the collaborating agencies to advance subsequent cleanup and remediation efforts for sites identified through this process.

Specifically, the ADEC has the regulatory mission of identifying and monitoring contaminated sites and the authority to ensure that the preliminary Inventory is finalized into a comprehensive database that includes a Potentially Responsible Party (PRP) determination. Additionally, with the passage of the Brownfields Utilization, Investment, and Local Development Act and SB 202, Alaska Native corporations may be more likely to work with the ADEC to report potential contamination now that they may have liability relief as a PRP from both the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and associated state laws. The ADEC also has the authority to implement a remedial action process and can provide for specific training of local residents to enhance participation in ongoing and future site work.

By contrast, the DOI has no statutory authority to compel or conduct the cleanup of lands that have been conveyed out of Federal ownership, nor is it able to impose liability for contamination

that is reported on those lands. Pursuant to Executive Order 12580, as amended, the DOI has CERCLA response action authority only for lands under its “jurisdiction, custody, or control.” For other lands, the U.S. Environmental Protection Agency (EPA) or other federal agencies have CERCLA authority, and EPA and ADEC have various authorities under other environmental laws. Once lands are conveyed, full title is transferred and the DOI has no ongoing jurisdiction to execute or require a cleanup operation.

In addition, for the vast majority of sites listed, the BLM has confirmed it did not manage the lands at or after the time contamination would have occurred. The BLM’s role in conveying and patenting lands under ANCSA is solely in a pass-through capacity as the Federal government’s “real estate agent;” therefore, the BLM is not a PRP pursuant to CERCLA section 107 and is not liable for monitoring and cleanup as a result of its role in the conveyance process.¹ The BLM has no continuing obligation for documenting or remediating contaminated sites conveyed under ANCSA unless future documentation shows contamination occurred while the BLM managed or controlled a particular parcel. Work completed by the Statement of Cooperation’s (SOC) ANCSA Contaminated Sites Committee has not identified any such parcels to-date, and the BLM is unaware of any parcels that would fall into this category.

As noted in your letters, the 2016 Report provided an update and supplemented several steps recommended in the 1998 Report to Congress on potentially contaminated sites conveyed pursuant to ANCSA. In addition to outlining the multiagency process described above, the 2016 Report further recommended the establishment of a formal working group for addressing inventory and cleanup efforts. Two working groups have been established to address these issues. The SOC ANCSA Contaminated Sites Committee was established first, and it continues to be the most active SOC committee, led by DOI, ADEC, and EPA (2021 workplan enclosed). The Alaska Native Tribal Health Consortium’s Contamination Support Program helped establish and continues to facilitate the ANCSA Contaminated Lands Partnership Group (Partnership Group), which also includes Alaska Native corporations and Tribes. The DOI, EPA, ADEC, Department of Defense agencies, and other SOC agencies have participated extensively in both working groups. At a higher level, the SOC Executive Steering Committee, which includes Federal and state agency leaders in Alaska, is another venue for collaboration to address these important contaminated site issues. The purpose of the SOC (2020 agreement enclosed) is for member agencies to work cooperatively to address and resolve environmental issues in Alaska. These efforts should continue to provide an ongoing forum to share information and create a strategic plan for cleaning up and restoring contaminated sites using the combined resources and capacities of the member agencies and organizations.

In a separate letter to the Defense, Interior, and Agriculture Secretaries, ADEC raised additional concerns about potential contamination associated with approximately 150 former Bureau of Indian Affairs (BIA) school sites that were subsequently transferred to other entities, including local school districts, local governments, and the State of Alaska. As noted in the letter, the DOI’s BIA is working with the ADEC to address contamination issues at the Kotzebue School and other schools along with associated sites, including the White Mountain Drum Dump. The

¹ Potentially responsible parties under CERCLA include current owners or operators of a site, owners and operators at the time of a release of hazardous substances, those who arranged for the disposal of hazardous substances, and those who transported hazardous substances for disposal. CERCLA § 107(a), 42 U.S.C. § 9607(a).

BIA will continue to work to investigate potential contamination issues at BIA schools and will engage with the ADEC regarding sampling plans and proposed remedial actions.

The DOI believes that a collaborative approach involving Federal, State, Tribal, and local governments, as well as Alaska Native corporations and stakeholders, can successfully work to address these important issues. While the DOI does not possess the requisite authorities and obligations to unilaterally implement the recommendations in the 1998 and 2016 reports to Congress, active participation in these critical multiagency and multiorganization efforts remains our priority. We will continue to work diligently and collaboratively with our Federal, State, and Alaska Native partners, affected communities, and others to chart a coordinated and strategic path forward that is responsive to these concerns.

We would be happy to meet with you to discuss specific measures DOI can or should be taking within its purview to be a more effective partner. To arrange a meeting, please contact Lesia Monson at lesia_monson@ios.doi.gov or (907) 271-5485. We look forward to continuing to build meaningful relationships that will ensure our combined efforts result in successful progress towards the remediation of contaminated sites in Alaska.

Sincerely



Raina Thiele
Senior Advisor to the Secretary for
Alaska Affairs and Strategic Priorities

Attachments:
2020 Statement of Cooperation Charter
Statement of Cooperation 2021 Workplans

STATEMENT OF COOPERATION
BETWEEN THE
DEPARTMENT OF DEFENSE AGENCIES IN ALASKA,
FEDERAL AVIATION ADMINISTRATION,
ALASKA ARMY AND AIR NATIONAL GUARD,
U.S. COAST GUARD, DISTRICT 17,
DEPARTMENT OF THE INTERIOR,
DENALI COMMISSION,
USDA FOREST SERVICE,
ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION,
AND
ENVIRONMENTAL PROTECTION AGENCY

A. Purpose.

Signatory agencies (referred to hereafter as "Parties") agree to work together to protect Alaska's human health and environment. Furthermore the Parties agree to work cooperatively to address and resolve environmental issues in the state of Alaska.

B. Introduction.

1. The Parties desire to work together to identify and resolve issues impacting human health and the environment, seeking innovation, efficiency, and flexibility through this Statement of Cooperation (SOC). The goal is to achieve uncompromised environmental protection.

2. This is not an enforceable legal agreement. The Parties may develop separate, more detailed agreements as needed. Efforts under this SOC shall be consistent with applicable federal and state laws and regulations, and are subject to the availability of duly appropriated funds. Nothing in this SOC will alter, impede, or interfere with the authorities and procedures of the agencies involved in implementing their respective enforcement responsibilities, authorities, and defense mission.

C. Areas of Agreement.

The Parties agree to:

1. Maintain relationships and communication among Parties to promote efficiencies in resolving environmental issues.
2. Undertake a coordinated leadership role to promote compliance with environmental laws and prevent environmental pollution.
3. Cooperate and promote partnerships in efforts to identify and cleanup past pollution and contamination.
4. Collaborate and share data and information that will assist in evaluating pollution impacts to human health and the environment, and in preventing and cleaning up contamination.
5. Promote education and training with an emphasis on seeking solutions to human health and environmental issues that affect Alaska, such as the Alaska Forum on the Environment.

6. Coordinate consultation with federally recognized tribes, as appropriate, when planning significant environmental actions that involve multiple Parties and common issues among the Parties.

D. Organization.

1. There shall be an Executive Steering Committee (ESC) and an SOC Working Group (SWG).
 - a. ESC members are the individuals who have signed the SOC. They will function as a policy-level group to resolve policy issues on activities undertaken within the scope of this SOC. The ESC will meet annually, or as needed based on emerging issues.
 - b. ESC members will appoint their respective SWG members in writing including an alternate. The appointment will be submitted to the Secretary to the SOC. The primary role of the SWG is to act as the operational arm of the ESC. It will (1) formulate the direction member organizations should take in resolving specific issues, (2) review and follow-up on environmental concerns identified by the ESC, and (3) work within and empower individual organizations to accomplish steps necessary to resolve concerns. Each SWG member must have the authority to speak and act on the behalf of her or his agency. SWG members will meet quarterly, or as needed. SWG meetings will not convene unless there is a minimum of eight of the eleven Parties represented by an appointed SWG member.

- c. Any ESC or SWG member may raise issues for discussion. Issues raised by the SWG shall be elevated to the ESC after appropriate efforts have been made to resolve a matter at the SWG level and further direction is needed. Issues from independent organizations shall be brought to the SWG for discussion and/or resolution.
 - d. The Alaskan Command Headquarters will provide the Secretary to the SOC, which will schedule and facilitate the ESC and SWG meetings.
 - e. The SWG will develop the meeting agenda for the ESC meetings and ensure that all decision briefs and presentations are clear and concise, and have been properly staffed prior to the ESC meetings.
 - f. The SWG will develop an annual (based on the calendar year) workplan, for ESC review and approval, to establish goals and prioritize SOC activities. The plan will include milestones and target completion dates and the SWG will report back to the ESC annually on the workplan status.
 - g. The ESC or SWG may form standing and ad hoc committees, as needed, to study and make recommendations on issues of concern. The ESC or SWG, whichever establishes the committee, will identify the lead agency, and the Parties may appoint members or other subject matter experts to participate.
2. The SOC may, at its discretion, invite other organizations or governments to provide "advisors" to the SOC to enhance communications and provide expertise about environmental issues of mutual concern. For example, the Parties benefit by including an Alaskan Tribal perspective.


E. Effective Date/Modifications.

This document is effective for four years after the last date of signature. Each Party may sign on a separate page to streamline the signature process.

Amendments or additional appendices may be developed and implemented by mutual agreement at any time, without renegotiating the entire SOC. A Party may also terminate its participation in this SOC by providing 30 days written notice to the other Parties.

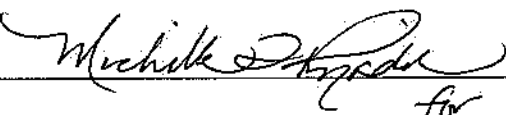
F. Signatures.

The following concur with the above SOC for the mutual benefit of their organizations.



JASON BRUNE, Commissioner
Alaska Department of Environmental Conservation

2/20/2020
Date



CHRIS HLADICK, Administrator
EPA Region X

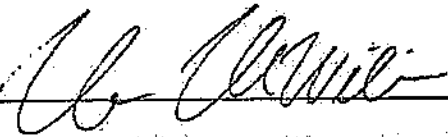
2/20/2020
Date



KERRY LONG, Regional Administrator
FAA, Alaskan Region

JUN 23 2020

Date



MARCUS MCWILLIAMS, Maj, USAF
Commander, Defense Logistics Agency Energy Alaska

20 Feb 2020

Date



JASON HOKE, Federal Co-Chair
Denali Commission

2/20/20

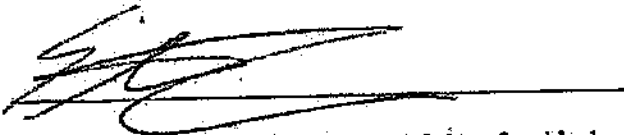
Date



DAVID SCHMID, Regional Forester
USDA Forest Service, Alaska Region

02/20/2020

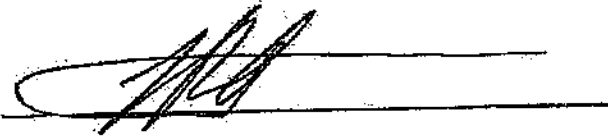
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STEVE WACKOWSKI, Senior Advisor for Alaska Affairs
Office of the Secretary, U.S. Department of the Interior

20 FEB 20

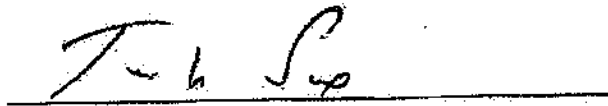
Date



PHILLIP BORDERS, Colonel, USA
District Engineer, Alaska District Corps of Engineers

20 FEB 20

Date



TORRENCE SAXE, Maj Gen, AKNG
The Adjutant General

20 FEB 20

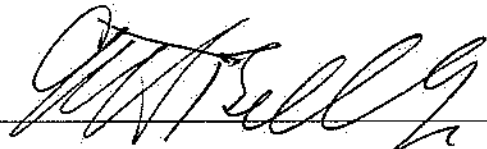
Date



STEPHEN BARNETT, RDML, USN
Commander, Navy Region Northwest

15 SEP 20

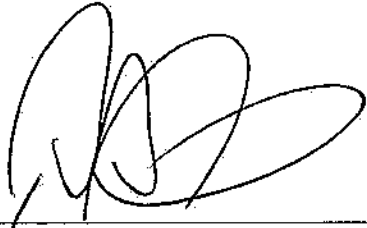
Date



MATHEW BELL, RADM, USCG
Commander, 17th Coast Guard District

20 FEB 2020

Date



PETER ANDRYSLAK, Major General
Commanding General, United States Army Alaska

20 FEB 2020

Date



THOMAS BUSSIERE, Lieutenant General, USAF
Commander, Eleventh Air Force

20 FEB 2020

Date

STATEMENT OF COOPERATION 2021 WORKPLANS

ALASKA FORUM ON THE ENVIRONMENT

February 2021

GOAL:

Participate in planning, implementing and attending the Alaska Forum on the Environment (Forum) to be held in February 2021 in a manner that supports our various missions. The 23rd annual Alaska Forum on the Environment will officially be held 8-12 Feb 2021, but on-line sessions began in April 2020.

The Forum is held annually in Anchorage to provide training, public outreach, and networking opportunities consistent with the SOC mission: “Alaskans working together to promote a clean, healthy environment through communication and education.” The Forum has historically offered over 120 technical sessions on climate change, energy, environmental regulation, contaminated sites, federal facilities, solid waste management, oil spill prevention and response, fish and wildlife, coastal issues and more. Several thought-provoking Keynote events, a film festival, youth events, and an exhibit hall have also been a part of the in-person event.

MEASUREMENT:

The 22nd annual Forum was held February 10-14, 2020. Over 1100 registered to attend the event including 329 presenters and moderators for the over 124 technical sessions and keynote events. Registered participants included some of the following categories: Government – 86 federal including 12 Military/Coast Guard; State - 49; Local Government – 17; Tribal - 173; Business – 111 non-profit and 110 for profit; Student – 65. The EPA IGAP Grant Funding supported 157 attendees. AFE Planning Committee members attending numbered 64 for the 2019 event.

SOC agency staff again presented on sessions addressing federal environmental cleanups, oil spill planning and response, contaminated site characterization and cleanup technologies, climate change, erosion, solid waste management, wildfires, fish monitoring, State regulations, and more. There were 52 exhibitor booths manned by 208 individuals, including several booths where SOC member agencies interacted with the public on programs, projects and mission-related activities. The compressed form, introduced in 2019, allowed greater focus on sessions and keynotes of high interest to Alaskans. Keynote sessions were modified to allow greater audience participation in a more informal format. The Youth of Alaska played an ever-greater role by adding new youth events, sessions, and expanding social media coverage and interaction.

The film festival offered several films of local interest that were developed in Alaska, and one evening, participants played “Environmental Trivia” then enjoyed live music. Staff from National Geographic discussed their global experiences and noted change to the environmental and global impacts. The University of Arizona Biosphere 2 Lead discussed research on adapting to climate changes. The Forum welcomed back Mr. Chris Hladick, EPA Region X Administrator and Mr. Jason Brune, Alaska Department of Environmental Conservation Commissioner, to discuss the priorities of their agencies. The Youth of Alaska continued their role as media experts and provides fresh insight and input to the event.

Due to COVID restrictions and the in the interest of preserving public health, the Forum is a virtual event for 2021. The Forum tested its first session in Apr 2020 on COVID Awareness and in Oct 2020, began sessions ranging from 1 to 3 per month. A subscription allows registrant access to all sessions through December 2021, including to all prior sessions. Large organizations can work with AFE to better serve more organizational members.

PROCESS:

The Statement of Cooperation (SOC) has supported the annual Forum since its inception. Support has evolved through the years with agency policies and constraints (personnel and funding). It should be noted that Federal participation in 2020 was down almost 50% from 2019. The Forum has looked for greater support from private and local organizations to meet their annual funding goals. The Forum Planning Committee, which includes representatives from SOC member agencies and other organizations, prepares the Forum agenda.

The SOC Work Group members of the Forum Planning Committee will coordinate on training needs, outreach ideas and recommendations on how to work with the AFE to maximize the benefits of the annual Forum for SOC members and the public.

Continued SOC agency participation is critical to the on-going success of the Forum. AFE offers agencies a unique opportunity to conduct outreach and education on environmental programs, requirements, policies, and projects. Individual sessions may be used to obtain feedback from the public on proposed programs or projects. Staff attendance at the Forum will help meet training needs and provide benefits from sharing information and networking with stakeholders from across Alaska in one location at one time. Additionally, the Forum normally provides an opportunity to schedule meetings with people from throughout Alaska while they are in Anchorage for the event.

Information on the Forum is available on-line at: <http://www.akforum.org/>

LEAD AGENCY:

Defense Logistics Agency

COMMITTEE MEMBERS:

Name	Agency	Email Address	Telephone
S. Buss/R. Colvin, et al	ADEC	stephanie.buss@alaska.gov	907-465-5076
Grace Cochon	DOI	grace_cochon@ios.doi.gov	907-786-3620/227-3781
David Bell	USAF/AFCEC	david.bell.2@us.af.mil	707-424-8279
Taylor Tidwell	USAF	Taylor.d.tidwell2.civ@mail.mil	503-335-4416
J. Chandler/E. Cooper, et al	USFS	Jacqueline.chandler@usda.gov	907-586-8803
Therese Deardorff	DLA	therese.deardorff@dla.mil	907.552.3938

TIMELINE:

Planning is on-going throughout the year until the annual event in February. During the virtual 2021 event, the Planning Committee will be meeting at least monthly through December 2021.

TRAINING INITIATIVE

February 2021

GOALS:

1. Identify quality education and training that support the needs of partner agencies, with an emphasis on seeking solutions to human health and environmental issues across Alaska.
2. As individual member agencies identify/host training to meet their own needs, seek coordination opportunities to address the needs of other agencies; reps will continue sharing individual agency training schedules.
3. Web-based training solutions dominate as a leading opportunity for cost avoidance; a database approach will be investigated for identification, utilization and feedback of these on-line training opportunities. Assess hosting multiple agency environmental training / information on the web.
4. Maintain engagement of existing Work Group membership; pursue sustainment opportunities identified by SOC member agencies.

2020 EFFORTS:

SOC Agency Coordination.

1. Work group representatives continued to share training reports that keep member agencies abreast of training opportunities hosted across Alaska as well as virtually.

The Alaska Department of Environmental Conservation (ADEC) leads in providing a monthly calendar of upcoming training opportunities across multi-agency offerings, which are also being posted to the SOC's new Sharepoint (APAN) site, such as:

- Clean Water Act Rule Change Webinar (USACE, Virginia DEQ, July 2020)
- Inland Oil Spill for DOI Response Webinar Series (USDOJ, periodic)
- Incident Command System (ICS) Training (Various)

2. Anecdotal information regarding the impact of fiscal and distance related issues that help to characterize the state of training (difficulties) have not substantially changed during the past year; however, these existing challenges were exponentially exacerbated by the COVID-19 pandemic and all associated restrictions and dynamics. On a positive note, one of the unanticipated yet encouraging outcomes of the pandemic has been the increase in emphasis and opportunity for virtual training, which is only expected to continue improving in volume and accessibility.

2021 Work Plan. Continue the SOC Training Initiative Work Group efforts to include sustainment of previous successes, identification/investigation of future training opportunities that consider fiscal constraints and environmental training needs while also leveraging the COVID-induced surge in virtual training options (especially when it's free), as well as increased communication and engagements within Training Initiative Work Group members and associated networks.

1. Training Events:

a. Identify and support non-governmental preferred training opportunities as aligned with the desires of the Executive Steering Committee (ESC); coordinate with planning teams when these opportunities are in conjunction with conferences/meetings.

b. Encourage SOC agency sponsorship of training events with wide applicability, and particularly emphasize opportunities and mediums for virtual training, especially those with a real-time webinar (audio/video/chat/discussion) engagement format.

c. In all cases, identify funding considerations (availability/limitations) well in advance of significant commitments to avoid waste in planning efforts.

2. Maintain a sustained SOC Training Initiative Work Group with increased communication and engagement among members/agencies; disseminate information on training opportunities via SOC Training Initiative Work Group email distribution network, while continuing to expand the membership and use of the SOC’s new Sharepoint (APAN) site for training announcements and consolidated calendar.

Agency Lead:

U.S. Coast Guard District 17

Committee Members (as of 16 January 2020):

Name	Agency	Email Address	Telephone
Bradley Dunker	ADEC	bradley.dunker@alaska.gov	907-269-7684
Jacki Holzman	FAA	jacki.holzman@faa.gov	907-271-6265
Ken Andraschko	USACE	Kenneth.R.Andraschko@usace.army.mil	907-753-5647
Grace Cochon	DOI	grace_cochon@ios.doi.gov	907-271-5011
Mike Wilcox	USFS	mrwilcox@fs.fed.us	907-586-9379
Chris Generous	USN	christopher.generous@navy.mil	360-396-0014
TBD	USARAK		
Mark Prieksat	USAF/ 673 CES/CEI	Mark.Prieksat@us.af.mil	907-384-3003
Therese Deardorff	DLA	Therese.Deardorff@dla.mil	907-552-3938
Karen Johnson	Denali Commission	karenj@denali.gov	
CDR Ruben Boudreaux	USCG	Ruben.E.Boudreaux@uscg.mil	907-463-2189

Timeline:

Quarterly outreach, with on-going distribution of time sensitive training opportunities via the work group email network and the SOC’s Sharepoint (APAN) site for announcements and consolidated calendar.

Historical Summary:

The Joint Regional Environmental Training Center (JRETC) provided in-state environmental and other training (1996-2005) to government agencies, in part to avoid travel and per-diem costs incurred with out-of-state training. By 2007 the JRETC was closed, an interim solution – the AFE Workforce Training Program – had been abandoned, and the SOC ESC directed use of a model wherein coordinated training needs were addressed through a work group.

The SOC Training Initiative Work Group provides the following benefits: it does not require a dedicated facility; contracting and planning for courses can be managed through individual hosting/sponsoring agencies; and an annual opportunity exists to coordinate focused training to coincide with the Alaska Forum on the Environment <<http://akforum.com>> to capitalize on travel and facility costs. Access to the new Sharepoint (APAN) site is available to all SOC agency representatives by creating a personal account at <<https://www.apan.org/>>, and then sending your Username to <Ruben.E.Boudreaux@uscg.mil> to be added as a member of the SOC ESC site.

OPPORTUNITIES FOR PARTNERSHIP

February 2021

GOAL:

Coordinate to leverage resources, when feasible, for working at remote sites. All SOC member agencies are involved with projects in remote Alaskan locations. Whether environmental assessment and restoration projects or major civil works, much of the project costs are related to mobilization and logistics in extremely isolated areas. Cost avoidance could result in bringing more sites into overall compliance and reducing risks to human health and the environment.

MEASUREMENT:

The subcommittee will provide an annual update to the SOC Executive Steering Committee (ESC). Success will be measured by the number of projects where multiple agencies coordinated work to reduce costs and implement work more efficiently.

PROCESS:

Maintain cross agency coordination in planning remote site work and seek efficiencies through partnering. Meet annually to share information and identify opportunities to leverage resources on projects. The SOC member agencies with relevant remote sites will designate a point of contact to participate on a subcommittee to coordinate their agencies planning and programming projects. No agency will be required to participate in cooperative projects or share resources. Based upon co-location or other considerations, each agency POC can identify projects where an opportunity for cost avoidance through partnering, an interagency agreement or alternative contracting methods might exist.

LEAD AGENCIES:

USACE, US Coast Guard, and Alaska Department of Environmental Conservation.

COMMITTEE MEMBERS

Name	Organization	Email Address	Phone #
Stephanie Buss	DEC	Stephanie.Buss@alaska.gov	907-465-5076
Mark Ridgway	USCG	Mark.S.Ridgway@uscg.mil	907-463-2407
Philip Johnson	DOI	Philip_Johnson@ios.doi.gov	907-271-5011
Kenneth Andraschko	USACE	Kenneth.R.Andraschko@usace.army.mil	907-753-5647
Andrea Beausang	USACE	Andrea.L.Beausang@usace.army.mil	907-753-2557
Jacki Holzman	FAA	Jacki.Holzman@faa.gov	907-271-6265
Steve Mattson	611 CES	Steven.Mattson@us.af.mil	907-552-4496
Matt York	USFS	MatthewYork@fs.fed.us	907-586-9379
Dina Ginn	USN	Dina.Ginn@navy.mil	360-396-0016
	AKNG		

TIMELINE

This is an on-going work plan item. An update will be presented to the ESC during the 2022 meeting.

ERODING LANDFILLS

February 2021

GOAL:

The goal of this SOC committee is to prevent erosion of solid waste and/or hazardous substances from federal landfills/dumpsites. Allowing such waste to erode into the environment causes pollution, violates state and federal environmental laws, and poses unacceptable risks to human health, safety, or to the environment. This goal will be accomplished by continuing to identify and respond to federal disposal sites that are, or may become, subject to erosion.

MEASUREMENT:

The inventory of federal disposal sites that are, or may become, subject to erosion will be used to track the status of sites addressed under this work plan.

PROCESS:

The eroding landfill committee will continue to monitor and respond to erosion at sites of concern that fall under their respective agencies' responsibility. The committee will evaluate strategies for response and, where appropriate, seek opportunities to coordinate with other members to achieve efficiencies. ADEC will work with the agencies and other parties that are responsible for each site to develop and implement monitoring, characterization, containment or removal plans as needed.

LEAD AGENCY:

Alaska Department of Environmental Conservation

COMMITTEE MEMBERS:

Name	Agency	Email Address	Telephone
Stephanie Buss	ADEC	stephanie.buss@alaska.gov	907-465-5076
Phil Johnson	DOI	philip_johnson@ios.doi.gov	907-271-5011
Ken Andraschko	USACE	Kenneth.R.Andraschko@usace.army.mil	907-753-5647
Mark Ridgway	USCG	Mark.Ridgway@uscg.mil	907-463-2407
Brad Platt	FAA	brad.platt@faa.gov	907-271-5359
Steve Mattson	USAF	steve.mattson@us.af.mil	907-552-4496
Chris Generous	USN	Christopher.generous@navy.mil	360-396-0014

TIMELINE:

Throughout 2021 the group will continue to develop and implement, to the extent feasible, response plans for sites identified as "currently eroding" and monitoring plans for sites identified as threatened by erosion. An update on progress will be provided to the ESC in February 2022.

ALASKA NATIVE CLAIMS SETTLEMENT ACT CONTAMINATED SITES: INVENTORY AND REMEDIAL PLANNING

February 2021

GOAL:

In 2015, the U.S. Department of the Interior's (DOI) Bureau of Land Management (BLM) was directed by Congress to prepare an updated report on the status of contaminated sites which were previously conveyed to Alaska Native corporations under the Alaska Native Claims Settlement Act (ANCSA) of 1971. Congress directed that the report include an inventory of contaminated sites, the status with respect to cleanup, and details on how DOI intends to complete cleanup of each site. The BLM prepared an initial inventory of sites and requested the assistance of SOC member agencies to enhance the completeness and accuracy of the inventory and to provide information that would assist BLM in preparing the report. The BLM submitted their Report to Congress in June 2016 and currently hosts the inventory on the internet. The report recommended formation of a contaminated lands working group to further consider and develop plans to clean up the sites. The broad goals of this work plan are to facilitate coordination among SOC member agencies and to work collaboratively toward cleaning up contaminated lands that have been conveyed to Alaska Native regional and village corporations under the ANCSA. More specific goals of this committee include working collectively to update and maintain the site inventory; support the ANCSA Contaminated Lands Partnership Group; and to use existing agency authorities and resources to investigate and remediate conveyed sites that are the responsibility of SOC member agencies.

MEASUREMENT:

The committee will continue to meet, as needed, to consider and implement steps to ensure appropriate cleanup of ANCSA conveyed lands that were contaminated prior to transfer. Because this is expected to be a dynamic process, agency representatives will brief their management as the situation warrants.

PROCESS:

The next steps in this process are expected to include:

- 1) Support the ANCSA Contaminated Lands Partnership Group, facilitated by the Alaska Native Tribal Health Consortium. This Partnership Group will collaborate on ways to address inventory, assessment and cleanup of conveyed lands. Tasks in 2021 include refining the membership (as needed), providing background on ANCSA contaminated lands, explaining the tools available for learning more about specific sites, and developing a prioritization framework for existing contaminated sites;
- 2) Continue to refine and update the site inventory and associated database(s) including any new sites identified;
- 3) Share additional information regarding agency-specific plans, priorities and schedules for assessment and remediation of sites that are already within (or eligible for) a cleanup program;
- 4) Develop plans to address problematic sites identified in the inventory including sites with multiple responsible parties, pre- and post-conveyance contamination or other issues;
- 5) Identify a sustainable long-term framework for the site inventory and associated database(s) including identifying a lead agency that will host and maintain the inventory;
- 6) Initiate work at "orphan sites" where existing resources and authorities can be leveraged: this may include conducting pilot project(s) at one or more sites; and
- 7) Implement other steps the committee may propose.

LEAD AGENCIES:

U.S. Department of the Interior, U.S. Environmental Protection Agency, Alaska Department of Environmental Conservation

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TIMELINE:

This committee is actively working on each work plan item and plans to convene throughout 2021. An update will be presented to the ESC during the February 2022 meeting.

COMPLIANCE ASSURANCE

January 2021

GOALS:

1. Promote compliance with environmental regulations administered by EPA and prevent environmental pollution.
2. Promote SOC member agencies understanding of EPA enforcement policies and practices.
3. Promote EPA understanding of Federal Facility compliance challenges.

MEASUREMENT:

The work group will provide an annual update to the SOC Executive Steering Committee. Success will be measured by a decrease in both the number of enforcement actions and the nature of the findings.

PROCESS:

SOC agencies are responsible for compliance with federal, state and local environmental regulations. Often times regulations can be interpreted differently and specific situations can complicate compliance. Interested SOC agencies will meet to discuss regulatory compliance to promote a greater understanding of EPA enforcement policies and practices and SOC agencies concerns and difficulties. Participants will necessarily include subject matter experts from the various installations and agencies.

LEAD AGENCY: U.S. Air Force

COMMITTEE MEMBERS:

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TIMELINE:

The work group will pre-schedule quarterly meetings.

ADEC REGULATIONS COORDINATION

January 2021

GOAL:

Coordinate among SOC member agencies on any proposed changes in ADEC regulations.

MEASUREMENT:

The committee will provide an annual update to the SOC Executive Steering Committee. Success will be measured by the level of participation by SOC member agencies impacted by proposed changes in regulations.

PROCESS:

SOC agencies are responsible for complying with ADEC regulations. As proposed changes or new regulations are available for public review and comment, SOC agencies provide their own input and comment to ADEC. At times this can lead to repetitive or contradicting comments. Interested SOC member agencies will coordinate with each other concerning any proposed revisions to ADEC rules and comments on any proposed changes. Due to legal requirements for public participation, regulation development and negotiated rule making, ADEC cannot participate on the subcommittee.

Coordination will be accomplished via telephone conferences, sharing written comments with each other and meetings as appropriate. Each SOC member agency will be free to choose to participate in the coordinated response process and agencies are also free to submit individual comments to ADEC.

The focus for 2020 is expected to be on implementation of Notices of Activity Use Limitations.

LEAD AGENCY:

U.S. Air Force

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TIMELINE:

The timeline will correspond with ADEC timelines for regulatory changes, which is unknown at this time.