

Response to Comments on Preliminary Minor Permit AQ1657MSS01 Soil Treatment Technologies, LLC – Soil Remediation Unit

Prepared by Kathie Mulkey – August 03, 2021

This document provides the Alaska Department of Environmental Conservation (Department)'s reply to all public comments on the preliminary decision to issue Minor Permit AQ1657MSS01 to Soil Treatment Technologies, LLC (STT) for their Soil Remediation Unit (SRU). The Department provided opportunity for public comment on the permit starting June 22, 2021 and ending July 22, 2021. This response to comments (RTC) document does not consider comments received after the comment period closed.

The Department received 51 comment submittals from the public and one from STT. The majority were submitted through the Department's web page for comment input. Any that were submitted via email were added to the comment input web page. Many of the comments express opposition to the location of the stationary source and some were specifically concerned with air and water pollution. Due to the large number of similar comments, the Department has written general responses and has included cross references to those responses where applicable.

All comments are provided verbatim. The Department's responses are shown in *Times New Roman italic font*.

Comment I-1: Norm Olson

Everyone should be informed...

Here's what the folks in Nikiski are being asked to permit...

Here is a list of emissions (there's no metric for "smell level")

QUOTE: "Emissions:

The potential annual emissions of regulated air pollutants will not exceed: 18.0 tons NO_x, 12.0 tons CO, 27.9 tons SO₂, 5.9 tons PM₁₀, 2.5 tons PM_{2.5}, and 27.4 tons VOC.

UNQUOTE

"will not exceed. . ." Notice the way they turn the phrase... If it said "shall not exceed. . ." with a \$50,000 fine for each occurrence if these maximums are exceeded.. well, that would be different wouldn't it?...

Anyway, maybe someone would like to identify the potential emissions and help speak up about it... It's a very serious situation and could be dangerous given the right atmospheric conditions...

Here's to your contamination facility:

If you visit Alaska's cities, you will find them very pretty,
but there's one village where you must beware:

" NIKISKI -- Don't Drink The Water
and Don't Breathe The Air..."
Nikiski, Nikiski, wear a gas mask and a veil
So you can breathe, as long as you don't inhale...

Response: The phrase "will not exceed" is used in the public notice because the potential (i.e., maximum) emissions shown in the permit were calculated using the assumption that the SRU would operate 24 hours per day, 365 days per year. It is likely the actual emissions will be less because the SRU is not expected to operate continuously. See also the Department's General Response Regarding Air Quality Concerns on page 22.

Comment I-2: Karen and Richard McGahan

Regarding the ADEC decision to issue Permit AQ1657MSS01
Soil Treatment Technologies, LLC

To Whom It May Concern:

We are concerned about smoke and emissions from this facility. Our physical address is in Nikiski, and probably in a direct line, southwest, from this proposed facility. The prevailing winds in the summer in Nikiski are from the southwest. There are 8 homes across the road from the property at mile 27.4, Kenai Spur Hwy. In our opinion, smoke of any kind will be a problem. And chemical emissions of any kind concern us. We have lived in Nikiski for 66 years and we have 3 generations of our family living here. We have some family who are dealing with ongoing health problems. We are pro-development, and pro-business, however this seems like the wrong place for a thermal treatment facility with emissions of any kind.

This is a residential area. There are open lands all over the Kenai Peninsula that would be much more appropriate for a facility of this type.

Thank you for considering our comments,
Karen and Richard McGahan
54025 Kenai Spur Hwy.
Kenai, Alaska 99611
boulderpoint@alaska.net

Response: Please see the Department's General Response Regarding Air Quality Concerns on page 22 and General Response Regarding the Site and Location on page 23.

Comment I-3: Leslie Richards

I don't believe this is the best location for this type of business. I live a mile away am currently pregnant and have a 2 year old. I'm concerned about the air quality or me & my family and how this would affect my own private well as well as the many lakes within this residential community. This location is also a few miles away from a high school. There are other locations fir this type of business, Nikiski is not one of them.

Response: Please see the Department's general responses on pages 22 and 23.

Comment I-4: Terry Morse

This type of equipment should not be put in residential neighborhoods. The information was not readily available for comment. It was done without enough time for public comment!

***Response:** Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-5: Wilma Hampson

I own a commercial business and live in the same building. There are 3 generations living in the building. We have a private drilled well and any contaminated ground water could affect it. We could also be affected by air quality. This business you are purposing is entirely too close to a major residential area. Please reconsider locating it to a different place.

Thank you for your consideration.

***Response:** Please see the Department's general responses on pages 22 and 23.*

Comment I-6: Henry W. Haney

I am opposed to the following decision:

The Alaska Department of Environmental Conservation (ADEC) has made a preliminary decision to issue Air Quality Control Minor Permit AQ1657MSS01 to Soil Treatment Technologies, LLC (STT) for a Soil Remediation Unit in Nikiski.

I am familiar with these types of thermal systems. I was contracted to be a site-inspector during much of the early clean-up at the former Chevron Refinery site remediation. A thermal burning system was used for some of this clean-up work. When it operated perfectly as designed, the exhaust air quality was within DEC limits. However, any operational upset would allow dust with toxic qualities to spew forth which would then be spread by the wind from the thermal unit.

The Thermal burning unit was located on-site at the former Chevron tank field which had no immediate neighbors. The consequences of the dust pollution were that an extended clean-up was required.

Locating the proposed Soil Treatment Technologies, LLC in the present Nikiski location would have severe consequences if there were an air quality excursion. This is an area with a seafood processing plant, residential neighbors, a Jr/Sr High School, and the Nikiski town business area which are all within reach of toxic dust contamination.

In the Air Quality Control Minor Permit AQ1657MSS01 the Alaska DEC has stated specific guidelines for air quality. Do these guidelines incorporate residential and seafood processing, schools, and business areas as neighbors to the proposed thermal remediation plant?

I do not believe there has been adequate analysis completed with consideration to the probably toxic dust excursions that can occur and the consequences of reoccurring toxic dust excursions during the Thermal burner operation.

With consideration to air quality and the seafood processing, residential neighbors, school and businesses in the vicinity and extended area, how often will the air quality be monitored?

I would propose this should be done on all four compass quadrants on a continuous basis anytime the plant is running with a shut-off protocol in the event of “any air quality excursion”.

There should be arbitrary wind limits specified in the permit so that extremely fine dust from the thermal burner cannot be carried beyond their property line boundaries, otherwise the Soil Remediation Unit will be polluting the immediate and extended area. This will reduce other owner’s property values and potentially will result in lawsuits due to property damage. The State of Alaska DEC would also be a party to the responsibility for having issued a faulty-skewed air quality permit.

I believe the best solution would be to “deny the permit” for AQ1657MSS01 Soil Treatment Technologies LLC, Soil Remediation Unit and have them move to a more remote location away from the possibility of a severe wind day and a thermal operation upset that would allow toxic dust to spew over the seafood processor, residential locations, Nikiski Jr/Sr High School, and into the Nikiski business area.

Response: *As to the question, “how often will the air quality be monitored?” – The permit requires daily inspections of all sources of fugitive dust when the facility is operating. The permit also requires that STT keep records of the dates and locations when actions are taken to control fugitive dust. Additionally, please see the Department’s general responses on pages 22 and 23.*

Comment I-7: Tami Johnson

Thank you for the opportunity to express an opinion from a Nikiski resident, who does not live far from the proposed site of the soil remediation plant. I think that most of us are confused as to why that particular spot was chosen for the facility. It is just across the street from several houses and under a mile from our Nikiski, Middle/High School, post office, fire station and local market. As mentioned at the town meeting, Nikiski residents are not against business, we just feel that a little more consideration should be put into where the business is located. We would appreciate your input and oversight in this respect, insisting that they do more research as far as the emissions and the consequences the delivered contaminated soil has on the environment. So many areas need to be explored before this facility should begin any type of treatment so close to houses and a school. Thank you very much for your time and consideration. We rely on you folks to help assure the safety of our community.

Response: *Please see the Department’s General Response Regarding the Site and Location on page 23.*

Comment I-8: Melissa Roza

I just was told about this and haven't heard much, but it seems pretty scary that they are going to be burning contaminated dirt next to all these houses where our families and animals are.

Response: *Please see the Department’s General Response Regarding the Site and Location on page 23.*

Comment I-9: William Bookout

It seems that this project and proposed site has been progressing without many people being made aware of the initiative. I would strongly suggest that due to the number of Nikiski residents potentially impacted and potential negative consequences that this should not be approved without more efforts for transparency and community input. It appears that this has progressed and is progressing very much under the radar screen of most people in the community or surrounding area.

***Response:** Please see the Department's General Response Regarding Denial of Permit on page 22.*

Comment I-10: Ralph Deatherage

I am strongly opposed to STT's proposal to build a contaminated soil treatment plant at the location off the Kenai Spur Highway in Nikiski. I cannot imagine why they wish to build such a site in the middle of a residential community. The risks to residents far exceed any benefit. I am sure there are other more isolated areas where such a plant could be constructed.

As I addressed at the STT information meeting on Wednesday, 7/14/2021, I am concerned about the residual gases as a result of the burning/incineration process. I am also very concerned about the air quality along our highways & roadways as contaminated soil is being transported to the facility. Safe containment of the contaminated soil during transportation needs to be addressed.

Additionally, somehow STT has by-passed the permitting process through our local Kenai Peninsula Borough (KPB). KPB not only has safety & integrity building regulations/codes, but also notifies its residents of new developments. Ample public notification as done by KPB, provides all KPB residents the information and public comment period. This is NOT solely a DEC permitting project.

Respectfully,
Ralph Deatherage

***Response:** Please see the Department's general responses on pages 22 and 23.*

Comment I-11: Peter McKay

To: Alaska Department of Environmental Conservation
Attn: Kathie Mulkey, 555 Cordova St., Anchorage, AK 99501, kathie.mulkey@alaska.gov
Submitted by: Peter E. McKay, 55441 Chinook Rd. Kenai AK 99611, mckayped@yahoo.com
Date: 07/19/21

Subject: Public Comments to the Alaska Department of Environmental Conservation (ADEC) regarding the preliminary decision to issue Air Quality Control Minor Permit AQ1657MSS01 to Soil Treatment Technologies, LLC (STT) for a Soil Remediation Unit in Nikiski.

I have several concerns about the proposal to issue an Air Quality Permit and operate a Soil Remediation Unit in Nikiski.

The application does not specify what the substance(s) are that have contaminated the soils – that require remediation. It does specify that many tons of hazardous waste are proposed to be released into the air in our community. It is important to inform the public whether the remediation is to remove hydrocarbons, oilfield waste, radioactive waste etc. I would also expect that the efficiency of the Soil Remediation Unit (SRU) would vary depending on what is being mitigated/removed. The description of the contaminated soils and the removal efficiency information should be included in the permit application.

The waste stream, prior to its arrival at the SRU should be considered and environmental effects mitigated. This includes the transportation of the contaminated soil. If the contaminated soils are to be trucked to the facility – where do the soils originate? What is the route of transport? Will the loads be covered? How will the contaminated soils be transferred from the truck to the covered facility? Will the transportation of contaminated soils impact the Nikiski residents who use the Kenai Spur Highway?

Permit Appl. Addendum 4 on Page 3 states that the nearest distance from emission outlet to Residence of 500' and other occupied (commercial) structure at 400'. The SRU is to be located on three Gagnon Acres Subdivision Lots No. 1 (2.89 acres), Lot No. 2 (2.12 acres) and Lot No. 3 (2.12 acres). It is not known where the SRU will be placed on the three lots. I did not find a plot map that shows where the covered facility and SRU will be located and what the truck route through the facility, and what the dump locations will be. The emission outlet(s) must be identified. It is impossible to verify the claimed distances between the SRU (and other hazardous waste handling locations) and residential dwellings or other buildings. The lots where the SRU facility is to be located is directly bordered on the North by the Kenai Spur Highway. Many people traveling on the highway would be potentially exposed to SRU emissions or hazardous waste as they travel the highway and could be further exposed in the event there is a process upset at the SRU facility or loss of the incinerator function. Several residential dwellings are directly across the Spur Highway from the Soil Treatment Technologies lots and would often be directly downwind of the facility. In addition to health concerns, these homeowners would likely find their home/property values decreased.

I found no evidence that this proposed hazardous waste facility would prevent unauthorized entry. I'm fairly certain there is currently no fence around these gravel pits. There is nothing to prevent kids on ATV's or wildlife from entering the area. This must be addressed.

Groundwater contamination. There must be a rigorous testing program to establish the current state of area groundwater in many locations on and around the three lots. The commercial facilities and the residential dwellings should have all water wells/water systems sampled as a base line and on a repeated cycle.

I believe that ADEC must deny the permit until these and other concerns are satisfactorily addressed.

Thank you for considering my opinions.

Pete

Response: The proposed remediation facility is prohibited from accepting hazardous waste by Condition 15 of Minor Permit AQ1657MSS01 and therefore is not a "hazardous waste facility." Additionally, please see the Department's general responses on pages 22 and 23.

Comment I-12: Larry Stearns

Not in favor of this type of plant being located in a residential area with family's living close by. A high school that's probably 1/2 mile away or so as the crow fly's. I worked at the incinerator out at Swanson river many years ago and know that these plants produce gases, smells, noise among other issues and with storage of materials.

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-13: Dan Stenson

This is ridiculous. Of all the places this project could be placed it's placed in a residential area. This is wrong and this was very carefully hidden from the public and snuck past the public.

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-14: Dana Armstrong

There are enough industrial businesses in Nikiski that stink up the air. Now you want to sneak this business in on the residential side of Nikiski instead of the industrial side? This is unacceptable. Nikiski residents shouldn't have to sacrifice home values for an operation that could be easily placed far away from people's homes. This is Alaska afterall! There are PLENTY of places to go that aren't next to people's homes, subdivisions, etc. Not to mention you want to burn cantaniments around them? Is the risk of polluting the air/ground/water/people/animals really worth that all mighty dollar? Let's no pull a PGE/etc like the lower 48 does all the time. Up the standards and say no to residential areas!

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-15: Norman Olson

The potential annual emissions of regulated air pollutants will not exceed: 18.0 tons NOx, 12.0 tons CO, 27.9 tons SO₂, 5.9 tons PM₁₀, 2.5 tons PM_{2.5}, and 27.4 tons VOC.

Please identify each of the emissions by their common name... What is PM₁₀? What is PM_{2.5}?

Response: *The Department used common abbreviations to identify the criteria pollutants. NOx is oxides of nitrogen, CO is carbon monoxide, SO₂ is sulfur dioxide, PM₁₀ is particulate matter less than or equal to a nominal 10 microns in diameter, PM_{2.5} is particulate matter less than or equal to a nominal 2.5 microns in diameter, and VOC is volatile organic compounds.*

Comment I-16: James Roza

My family and I are strongly opposed to the Soil Remediation Unit to be placed in Nikiski by Soil Treatment Technologies, LLC. I do not understand why they chose to build the soil treatment plant in the middle of a residential area. There are over 5000 people in all of Nikiski. Within milemarkers 27 and 28 or so, there are around 50 people living in homes along the highway. We have lakes, wetlands under 6/10's of a mile away from the proposed site. We have a high school, bus stops, and over 80 homes very near the proposed site; within ½ mile of the site. There are people with health issues, kids with 4 wheelers running right by the driveway. There is a clam processing site right next door, with a class A well. People are worried about water contamination of their wells. The water tables in the area are not very deep. There are worries about dust, vapors, and sulfur smell from the site itself, and from the trucks going back and forth to and from the site. There is always dirt falling from the backs of the dumptrucks, also. In the spring the snow melts in that site, causing a lot of standing water. We get a huge amount of snow during the winter. Four times more than Soldotna, 2 times more than Kenai. We are in a snow belt. What is the melt-off going to do to any contaminants on the ground? What about the dust causing the rainwater to become contaminated, soaking into the ground, and contaminating the wells & water aquifers that the wells are drawing the water out of? We have low lying areas that fill with wood smoke, dust from trucks, and fog, when the weather is right. We have bad wind storms throughout the year, with winds over 60 mph.

Between us and a neighbor, we have 20 acres of wetland down at the bottom of the hill from the site. We have sandhill cranes in the spring; loons; bear, moose, rabbits, and coyotes throughout the year coming into that wetland. There is an occasional bald eagle in the area also.

Why put the thing in a residential area? Why not somewhere that nobody lives? Also, nobody was asked or told about this at all. This should have been told to the people of Nikiski, and asked about, way back in March of 2021, BEFORE the company filed for a Stationary Source Permit!

Also, we were told by somebody, that the company wanted to get closer to OSK dock, because they wanted to ship contaminated soil from all over, to burn here.

There are a lot of questions to be asked about this also. What about the dirt coming off the trucks during travel? What about dust monitors, air control monitors, well drilling on the 4 corners of the property to see where the water table lays? What about an upset of the soil remediation plant, where it would start leaking gasses? What then? It would be so close to houses and businesses that we would have contamination before it could be addressed.

We were told by DEC that they have aerial photos of the area, but nobody has been here to look at the location of the site, or the areas around it. That should be done immediately, before you decide anything else. I think it would be wise to do so. I spoke to Pete Campbell of the DEC in Soldotna on Friday 7/16. He did not even know where mile 27 ¼ was, or the clammy, or the site was. He did mention that he didn't know why they weren't burning the dirt on the site of the dirt contamination.

When I went to the meeting the company held, one of the guys said he spoke to the neighbors about the site. I asked the neighbors along the road, and there was only one person the company spoke to. The other neighbors said that nobody spoke to them, and they did not know what was going on. A lot of the neighbors do not have internet to be able to look into this. I will include their phone numbers at the end of this.

It seems they chose to get this permit passed at the busiest time of the year, with fishing, summer activities, vacations, etc.; so nobody would notice anything until they were already there.

Why didn't DEC investigate the area proposed, the surrounding areas, the amount of housing & businesses, the wind & weather conditions, the people and activities; before even allowing this company to proceed this far?

I love my community. I love living in Nikiski. I am very upset that our community was not asked about this site proposal before anything was done with it. DEC is here to protect our community. Why wasn't this thoroughly addressed in March, instead of letting it go through?

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-17: James Roza

Please contact these people and speak to them about the Soil Remediation for Nikiski, they do not have computers.

1. Mike & Tracy Logan, 513-9412
2. Tina Sullens, 776-5505
3. Roy & Joanne, 776-3331

thank you.

Response: *It would be impractical and has never been a requirement during the public process for an agency to seek out or go door-to-door soliciting public input. The public process expects the general public to have some involvement, and not having technology assets at a residence does not stop a concerned public respondent from utilizing a public asset such as a library or "internet café". The Department must receive comments in writing prior to the close of the public comment period via any of several methods. The comments can be hand-written or typed and sent through the mail, or they can be emailed, or they can be submitted through the Department's web page for comment input. The comment period for this permitting action closed on July 22, 2021 at 11:59 PM but the public may contact the Department at any time with general questions about the permitting process.*

Comment I-18: Deanna Roza

I do not live far from this site. Neither do my parents. There are homes all around that area. No one knew anything about this facility when they were building it. There are elderly living out here and I personally have a breathing problem already. I personally don't think that they should be here because they didn't tell anyone about their production. They kept it under wraps until just a few short days before a meeting in Nikiski. The state didn't even advertise this, my father did. There are public walkways nearby, the high school is nearby. The water supplies is nearby too. With the severe wind storms we get here, it's only going to spread around Nikiski.

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-19: James Roza

I suggested to the DEC & the company SST to move the soil remediation facility to a state burn site on Robert Walker Ave, by the 100 acre gravel pit in Nikiski, by Agrium, across from the gas station. All the houses are gone. The state owns the 1100 or so acres now. They could maybe work off Rig Tenders' dock and stay in the industrial area, instead of being in the residential area.

Response: Please see the Department's General Response Regarding the Site and Location on page 23.

Comment I-20: Dil Uhlin

Place this facility in the middle of residential lots that use wells is reckless. There are wetlands less than 1 mile from this facility. The project is poorly planned. You will be effecting the water quality, traffic, air quality of a quiet neighborhood full of children and elderly. Please deny this permit. The requestors have not spoke with any of their potential neighbors and are trying to slide this facility in under the radar.

Response: Please see the Department's general responses on pages 22 and 23.

Comment I-21: Christina Parnell

I am opposed to this stt facility and the potential harm it will impose on our families, pets, wildlife and water tables. The fact that they want to place this facility in such a condensed residential neighborhood shows a serious lack of judgment on someone's part.

Response: Please see the Department's General Response Regarding the Site and Location on page 23.

Comment I-22: Ron Leonard

This is totally irresponsible to put this dangerous facility where it can contaminate the air, and pollute the wells of the people who live there. It will destroy their property values. I say vote no until you have proper hearings and an environmental impact statement. Sneaking this in under the cover of darkness is inviting class action lawsuits.

Response: Please see the Department's general responses on pages 22 and 23.

Comment I-23: Randi Wirz

I find it hilariously suspicious that no one has heard of this. No, the residents of Nikiski do NOT want this. We have no idea what kind of effect this will have on our water table for one. Don't bring this in here. We don't want it.

Response: Please see the Department's general responses on pages 22 and 23.

Comment I-24: Nick Wirz

Why hasn't anyone heard of this until now? I strongly oppose this.

Response: Please see the Department's general responses on pages 22 and 23.

Comment I-25: Christopher Ross

Hello my name is Christopher Ross, I do not agree with this action, it is very unsafe for environment as well as people in general. Right now there is legal action being taken on behalf of US Army Veterans who served in Iraq in 2004-2005 who were in contact with similar burn pits. Many of these Veterans have become severely ill as well as numerous others have died due to complications caused by these burn pits. Please review and reconsider this project. This will be extremely detrimental to the environment, the citizens and our children as well as their children, please do not do this

Response: *Please see the Department's General Response Regarding Denial of Permit on page 22.*

Comment I-26: Rebekah Ralston Savo

I was born and raised in Nikiski, this would be detrimental to the community and people who live here.

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-27: Eric Parnell

As a life long resident of Nikiski I feel as if this is being done in the wrong way I would have liked to have been more informed of the true health and safety risks and the environmental risks that this will pose to my family and friends.

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-28: Jared Parnell

I have lived in Nikiski most of my life. I believe this will be hazardous to our community. I also believe this will cause many health problems as it has before in other communities.

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-29: Sherilyn Cole

Wow, nothing like trying to sneak this in. I have lived in Nikiski for 36 years and the last thing I want to see is this beautiful community subjected to the pollution that this type of facility would bring. As a property owner in Nikiski I am completely against this.

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-30: Chris Standley

Why would you give a permit to a toxic waste dump refiner in a residential area instead of the area the toxic waste is actually located at?

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-31: Damien Wynn

I dont think this is something that should be located next to peoples homes

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-32: Anita Gordon

I am opposed to this. Keep them out of the peninsula, we don't need any mire regulations, Enough already.

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-33: Brian Zinck

I am opposed to the construction and operation of a Contaminated Soil Treatment Facility at MP 27.5 of the Kenai Spur Highway in Nikiski.

From the small amount of information made available it is apparent that tons of air pollutants will be permitted to escape into the environment annually. Nitrogen Oxide (NOx)and Sulfur Dioxide (SO2)combine with water vapor to create acid rain, not good for plants,animals or people.

Prevailing winds in the area will spread emmisions and dust onto residential areas, the community center and the Jr/Sr High School Campus.

There are lots of unanswered questions concerning this facility.

Where will the soil come from?

What contaminants are in the soil?

How is the soil to be transported?

Why is the State of Alaska willing to permit toxic waste facility to operate in a residential nieghborhood?

Soil Treatment Technologies LLC and the State of Alaska need to provide Nikiski residents with more information and oportunities for comment on this facility.

Brian E. Zinck

Response: Please see the Department's general responses on pages 22 and 23.

Comment I-34: Angela McGahan

I would like to email you in opposition to the Nikiski soil burning facility. This location is less than a half mile from my home, the local high school, the mall, many local small businesses, restaurants, and MANY homes. We do not need a facility putting out more contaminants into our air, even at acceptable requirements. Who is to say that they do not exceed those levels here and there, our health is not worth that risk of the possibilities of what could potentially be hazardous to our health. I'm married into a long time Nikiski homesteading family, this company actually approached us about some of our land for this business and we told them NO! Not in our back yard! Please deny their permit and tell them to look into an area further from population as we do not need this in our community, they can keep it in Anchorage! We are not their dumping ground.

Response: Please see the Department's general responses on pages 22 and 23.

Comment I-35: Rebecka Nelson

I do not want this facility in nikiski near my home.

Response: Please see the Department's General Response Regarding the Site and Location on page 23.

Comment I-36: Paul Walukewicz

The speed at which this is being forced through without proper notification of local residents is unsettling. I learned of this comment period two days ago and do not feel as though the public participation has been encouraged. I live less than 1.5 miles from this site and fully expect any reputable organization which planned on burning toxic soil to inform the residents in close proximity and provide ample time for feedback or to address local concerns. Area residents rely on well water for drinking, cleaning, gardening, and livestock. I see no information on how the proposed site could affect the water table for the locals. What safeguards are being put into place to ensure the toxins from the soil do not leach into the water table? What are the impacts to the wildlife in the wetlands less than half of a mile away? How is the soil being transported to the site? Are there any requirements for covering the loads? If it is coming by water, what are the spill contingencies for the fisheries? I read aerial photos were supplied. What year were the photos taken? There are more questions than answers with regard to the safe operation of this site.

Why hasn't DEC done a thorough job of investigating the proposed site? Was getting in a vehicle and going for a quick drive though the "residential" area too taxing? Who thought that permitting a toxic waste burning facility in the middle of a residential area was a good idea?

I adamantly oppose STT operating at the proposed site! The risk outweighs the unrealistic goals. My family and neighbors are more important.

Respectfully,
Paul

Response: *Please see the Department's general responses on pages 22 and 23.*

Comment I-37: James Heazlett

I'm not at all comfortable with 29 tons of Sulphur Dioxide being released annually into the air a few hundred yards from a home that I own. If I were inclined to sell the property do you think that that pollution would increase or decrease my property value?

Response: *Please see the Department's General Response Regarding Air Quality Concerns on page 22.*

Comment I-38: Christine Roza

This soil remediation site is a bad idea to place in a residential area. There has been no notices at all to the public, the residents of Nikiski, about this plan. This has been in the works since March of 2021, at least. We have tried to talk to mayor of Kenai Peninsula Borough, Govenor Dunleavy, or Dan Sullivan. They will not call back. I have spoken to others in our government, the representatives, and have had no response yet. This whole thing needs to go to the paper, radio, word of mouth. I am very against this whole thing being dumped in our lap, with so little time to even know about it, and seemingly being made to just accept the decision of a few people, of something that is going to affect me, my family, & my community, for years to come. This seems to have been a big secret, and done at a time of year when everyone is very busy and their minds are not into looking into things out of place in the community.

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-39: Camille Broussard

I am in support of the Soil Treatment Technologies LLC, Soil Remediation Unit.

Soil Treatment Technologies (STT) isn't going to pollute our community, they are going to clean it up. Our community already has dozens of industrial oilfield businesses throughout it. They already are in close proximity and bordering the high school property, the main road, and our neighborhoods. They have pollution that the community doesn't even realize is there. There are also many abandoned properties due to the fact that they have contaminated soils. The closest soil treatment option is Anchorage, 3 hours away. It's too costly for individuals and small businesses to cleanup and so those already contaminated sites just sit there, continuing to leech into our soils. For big companies who produce waste, they truck the soil to Anchorage. We have a HUGE refinery in our community that produces waste and pollution. Again, STT is here to clean up our soils; it can help with waste produced by other companies.

The air pollution people are worried about from STT is less than a 400kw generator and we have those used in the oilfield around here. They also have processes that will destroy 99% of the vapors and particulates. The water pollution people are worried about isn't going to be occurring because they have containment cells for pre and post treatment and will be performing testing to make sure pollution is not occurring.

STT is going to be another business that brings more business to our community. They are going to bring more jobs.

The previous negative comments regarding STT are reactionary and mostly uninformed, based off of community hearsay from our community Facebook groups. Even the comments that might have more substance to them appear to be based on what the permit allows, not what STT will be performing (which is less than 10% of what they are permitted for). It also appears that they haven't even looked at STT's presentation to see that they are environmental professionals, scientists & engineers and have an environmentally responsible plan that isn't going to pollute our waters and air. Our generators pollute more. Our kids spilling gasoline and oil when they are filling up their snow machines and 4-wheelers pollute more. Our old leaky vehicles pollute more.

The Soil Treatment Technologies operation will be good for Nikiski. It will help to clean up the decades of past contamination that is still in our soils and any future contamination. Please approve it.

Response: *Comment acknowledged.*

Comment I-40: Catherine Bethune

Having a soil remediation plant in our community will provide needed jobs, a needed service that is highly relevant to this area, and tax income for our community. The emissions are within reasonable parameters and under federal standards. Please rule in favor of permitting this business.

Response: *Comment acknowledged.*

Comment I-41: Mark Stormer

Looks like a good plan for nikiski bring them in great for the community. Thank you

Response: *Comment acknowledged.*

Comment I-42: Janice Chumley

After attending a public meeting in my town presented by this STT it appears that they have not done due diligence regarding this project. They lack information on what becomes of the product once produced, how the location impacts the neighborhood surrounding it and oddly they have purchased

and started building PRIOR to receiving a permit which seems like they expect one. I am not opposed to this project but would like them to consider another location that is not surrounded by homes, and to have a complete plan for disposal. Our community does not need more industrial waste abandoned when this LLC pulls out.

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-43: Stacy Oliva

To whom it may concern:

I support ADEC approval of the Soil Treatment Technology (STT) facility permit in Nikiski, Alaska based on STT meeting compliance requirements.

It is reasonable to approve the facility due to the following:

- 1.) ADEC require permits and certifications to operate a treatment facility in Alaska
- 2.) Permits to operate a soil treatment facility are provided and enforced by the ADEC
- 3.) STT has provided a Ground Water and Soil protection mitigation plan which include: Covered stockpile, asphalt containment with water collection sump, treatment and sampling of contained water, steel containment for treated soil, third party sampling, and final ADEC approval.
- 4.) Air Protection mitigation plan is feasible as the parameters provide for a much higher emission rate than the STT facility will have for output as it is currently set up to be in operation seasonally. STT planned forecast is to treat 5,000-10,000 tons per year which is less than 5% of permitted capacity.
- 5.) The benefits to the community of Nikiski and the Kenai Peninsula are to provide an aging oil field/industry an environmentally responsible option to "clean up" petroleum contaminated soils rather than leave the soil contaminates to leach into surrounding groundwater. It will also provide a lower cost option than the current choice of hauling contaminated soils to Anchorage or Fairbanks. A local ADEC approved facility minimizes the risk of exposure of contaminated soils in vast wilderness areas overturning while in transit to long distance treatment facilities. Local tax revenue and creation of additional light industry jobs are additional benefit to the greater Nikiski community.

Please approve the facility to operate if the ADEC permit requirements are met.

Sincerely,

Stacy Oliva, Resident
51155 Island Lake Rd.
Nikiski, Alaska 99635

Response: *Comment acknowledged.*

Comment I-44: Kathryn Walukewicz

I strongly request a denial for Soil Treatment Technologies, LLC to conduct thermal soil remediation in Nikiski. To begin, the requirement for notifying the public, i.e. Nikiski residents, of the intentions of STT to conduct business in a residential area of Nikiski was completely evaded. It states in the Department of Environmental Conservation for the state of Alaska, page 140 under Procedures that include a public comment period (which section 7 of STT's Stationary Source Identification Form ascertains), that "the department will provide 30 days for the public to submit comments; the department will give notice using the Alaska Online Public Notice System; will use other means necessary for informing the public." I searched the Alaska Online Public Notice System for Kenai and Anchorage and there was nothing posted regarding the submission of STT's Stationary Source Identification Form (application). I also did not find any article, literature, flyers or radio broadcast through the Kenai Peninsula Borough that advised residents of Kenai or Nikiski regarding the "town meeting" held on July 14, or the intentions of STT conducting business in the residential area instead of the industrial area of Nikiski. I found the so-called public notice only on the ADEC Division of Air Quality's webpage, and only knew to look there after a Nikiski resident informed me of the company's name and intention to conduct thermal soil remediation. The lack of appropriate and responsible public notification is grounds for an immediate denial or at minimum an appropriate delay until the residents/public have ample opportunity (the actual 30 days after authentic notification) to investigate and discuss this type of business in our community.

In addition, STT's Stationary Source Identification Form does not address the following concerns:

- Transportation of contaminated soil: where is it coming from, how is it getting to Nikiski, is the contaminated soil on a vehicle or vessel, is it covered at all times, and what is it covered with, will truck commuting result in delays on the Kenai Spur Highway?
- Conveyor at site to transfer contaminated soil from building to thermal heating unit: is the conveyor covered, what is covered by, and what is the length/distance in which the contaminated soil is on a conveyor?
- Bagging and Bag House: how is the toxic waste/particulates gathered and disposed of, and how often?
- Treated soil will be stockpiled onsite and covered with temporary liner covers until tested: is the soil piled on a concrete slab (thus not to penetrate original site soil), what are the size(s) and numbers of the stockpiles, what is the material of the liner covers (i.e. plastic, mesh etc.), do the liners prohibit rain infiltration and runoff, how often are the stockpiles tested, where will the successful soil remain stored and in what manner (i.e. container, stockpile, removed from site)?
- Treated soil has the potential of being 1% contaminated: how does that percentage affect organic ground soil, water tables, wildlife, wetlands, and residents in 1-5 years of operation?
- Who has the regulatory authority to conduct air, soil, and water testing? Who has the authority to cease operation in inclement weather? What specifically does STT define as inclement weather? How will rain affect the stockpiles of treated soil?
- Water for cooling treated soil and dust control: where is the water runoff collected, stored or treated? Most importantly, where and how is the water that is used for contaminated soil dust control being collected?
- How will snow affect the soil stockpiles and unheated holding structure for contaminated soil? Will ALL soil be removed from the site prior to freezing temperatures and/or snow fall?
- Why isn't this operation being conducted in the Nikiski Industrial area, where it would be more appropriate, instead of a highly populated residential area?
- Will the site be fenced off to prevent intrusion of wildlife, curious persons, recreational motor equipment (i.e. ATV, dirt bikes, etc.), for the unintentional distribution of contaminated soil and dust?

Until these questions are answered and the majority of Nikiski residents have an appropriate time to deliberate the true nature and intention of STT's operation, I feel it needs to be denied. The Nikiski community DOES support local and new businesses, but not a business that immediately appears to skate around informing the public of their intentions, disregard for providing/publishing thorough layman term information, and the potential to generate harm to human health, wildlife, and established businesses in an area we call home.

In closing, I would like to reiterate the area in which STT would be conducting toxic soil remediation is in a highly concentrated residential area, within 2 miles of wetlands, a fish processing plant, school(s), public shopping domain, and would have a significant [negative] impact to the main thoroughfare of Nikiski residents. I am a proud resident of Nikiski, a military veteran, a mother, and an employee of a local Nikiski business, and I am respectfully requesting a denial of STT's application for operation in the residential area of Nikiski.

Thank you for your time and consideration on this matter.

Kathryn Walukewicz

Response: *There are additional ways to access a public notice online in addition to the Online Public Notice System. One is through the Division of Air Quality's page at <http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices> and another is through the Department's public notice page at <http://dec.alaska.gov/commish/public-notices/>. This public notice issued by the Department was available at the Alaska Online Public Notice System page.*

Additionally, please see the Department's general responses on pages 22 and 23.

Comment I-45: Louis Grimaldi

I object to the lack of preparation of proper containment for the contaminated soil coming to this facility. To my understanding there is only the thinnest of asphalt laid without any impermeable barriers under it. In addition there is not any way to monitor for leaching of contaminants that will make their way through the asphalt. I live less than five miles from this facility and my drinking water is fifty feet below ground level. What has the State of Alaska done to ensure that my drinking water is protected? Has there been an inspector onsite through any of the installation of this facility? Will this be another Poppy Road?

I was an inspector for the State of Alaska Oil and Gas Conservation Commission for 26 years. I know what happens when you allow these type of operations to go by the "Honor System". You had better be prepared for litigation. Anyone's name related this endeavor, private or public will be Mudd if things go wrong.

My biggest questions are,

Why don't they burn this dirt where it is right now?

Why do they have to bring it here?

Do you realize the cost that someone will incur if our drinking water is contaminated?

Why hasn't any state inspector been onsite yet?

Response: *Please see the Department's General Response Regarding Water Quality Concerns on page 23.*

Comment I-46: Lou Oliva

I support the Soil Treatment Technologies LLC, Soil Remediation Unit and it's approval by the DEC.

Nikiski and it's surrounding areas have had numerous soil treatment facilities since the 1980's. They are a benefit to industry, businesses and homeowners. The gentlemen who own and operate STT are highly trained and educated in regards to the environment and cleaning up contamination. They have invested in state of the art technology so that they can treat contaminated soils with the least amount of impact to the environment and community as possible. They have gone through a rigorous permitting process by the DEC, which sets forth parameters for the health of our community and environment. With STT operating at a drastically lower capacity and with their new technology, this will not be negatively impacting our community or environment. It will be cleaning up contaminated soils from the area so that they will no longer be leeching into our soils and groundwater. They also will be boosting our local economics with jobs and income to other businesses. Further, locals will get the benefit of having the clean soil to use for their needs.

Response: *Comment acknowledged.*

Comment I-47: Tom Carew

I am against this location for the soil remediation plant. Having worked around a plant in the past and having seen the operator error plumes of black smoke you cannot tell me that in a largely residential area that this is a good choice.

Response: *Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-48: Kaitlin Oliva

I am in support of Soil Treatment Technologies, LLC (STT) for a Soil Remediation Unit in Nikiski.

As a Nikiski resident, 3rd generation, and environmentalist who has managed soil remediation sites, this facility would be a great addition to the community.

The resumes of the managers for this facility are knowledgeable with broad experiences in environmental requirements that would benefit the community.

The location of this site is optimal as it puts it in an area that is already established as industrial, with residents no closer than some are to other emission producing areas.

I believe that in the long term the purpose of this facility would be beneficial to the community not just in an industry scale but residential as well.

Response: *Comment acknowledged.*

Comment I-49: Len Niesen

The presentation (found online) didn't cover noise. I live about 2 miles from the facility. At times I can hear industrial facilities 10 miles away. It's disturbing that this type of industrial facility is locating in a residential area, even if it is in the main highway. Nikiski, which is one of the most beautiful lake districts in the state, continues to have industrial facilities locate and be approved here. Other oil support companies have tended to locate on the Kenai side of Island Lake, whereas this one is well within Nikiski's residential side. As safe and careful as this may be, approving more industry this close to residences isn't appreciated.

Response: *Noise pollution is outside the scope of this permitting action. Please see the Department's General Response Regarding the Site and Location on page 23.*

Comment I-50: Daniel Gregory

I would like to offer my support for this project. We need a clean and reliable method to remediate the enormous amount of contaminated soil on the peninsula. In the past we have had two other dirt burners in our area and no one even noticed because it was well within DEC guidelines and was safely run. What people should be worried about is the vehicles and junk that are in our areas in several different locations that are leaking oil and other contaminants into our ground water. This method of soil remediation is one of the cleanest. There is one on Klatt Road in Anchorage in a large populated area.

Response: *Comment acknowledged.*

Comment I-51: Michael Schmaltz

I support the Soil Treatment Technologies, LLC (STT) for a Soil Remediation Unit in Nikiski. I feel it would be a very valuable asset to our community. Over the last 60 years there have been many many unreported petroleum spills of varying sizes all over the Kenai Peninsula. As a contractor tasked with cleaning up these contaminated sites from residential and commercial properties, a local facility that can process and remediate contaminated soil would greatly benefit our community. It would also save a lot of private individuals, small local businesses, and some larger businesses great deals of financial costs for shipping these types of contaminated materials to Anchorage for remediation. The benefits from the soil remediation greatly outweigh the slight atmospheric "pollution" that is being over exaggerated by a group of people trying to leave a black mark on this facility and stop its permitting process.

Response: *Comment acknowledged.*

Comment B-1: Soil Treatment Technologies, LLC

On behalf of Soil Treatment Technologies (STT), we would like to thank everyone for their participation in this public process. STT looks forward to working with the residents of Nikiski to provide a safe and effective method for treatment of petroleum impacted soil in the Kenai Peninsula to service the aging oil field in the area.

STT understands the concerns put forth by the residents of Nikiski and strives to be as transparent as possible in our operations. We have been working to provide answers to people's questions through direct meetings, a voluntary town hall meeting in Nikiski, posting of information on our website, and providing our contact information for residents to contact us with any and all concerns.

STT is owned and operated by Nathan Oberlee, Elliot Wilson, Jody Dillon and Zack Kirk. Each owner is an Alaska Department of Environmental Conservation (ADEC) qualified environmental professional per (18AAC75) with years of experience investigating and remediating environmentally impacted sites throughout the state. The decades of experience with contaminant fate and transport, and remediation design, were poured into the design of this facility to ensure the safety of the Nikiski residents and the environment (air, soil and water). STT's plan ensures that the regulations put forth by ADEC and the United State Environmental Protection Agency to protect human health and the environment are met or exceeded in the planning and permitting of this facility. Through our experience cleaning up hundreds of sites throughout the state, we understand the results of irresponsible management of waste streams and have designed this plant with redundancies to ensure impact to people and the environment does not occur.

The soil containment facility at the site was designed to ensure underlying soil and groundwater are not impacted at the site. Soil will be transported to the facility in covered trucks to mitigate dust generation along the roadways. Note: ADEC approval is required for any soil that is transported to and treated at our facility. In accordance with State regulations, the facility will not accept any hazardous waste.

The trucks will be offloaded in a covered containment area onto a petroleum resistant, asphalt concrete pad. The covered containment will prevent water infiltration to the impacted soil from rain and snow-melt. Additionally, the covered containment area will mitigate dust generation in the area. The asphalt pad in the containment is sloped towards a central sump to collect any water runoff. Collected water will be treated through a granular activated carbon water treatment system, sampled and analyzed by an ADEC approved laboratory. The laboratory reports will be submitted to ADEC for verification that the water is not impacted.

The treated soil will be placed into steel containments for sampling by ADEC-approved environmental consultants to confirm that it is free of contaminants. The containments were constructed with welded berms and catchments for the containment and treatment of any rain runoff. When not in use, the containments will be covered to prevent management of rain and snowmelt. The laboratory sample results will be sent to ADEC to confirm each pile meets the most stringent migration to groundwater cleanup levels prior to moving the remediated soil off the containment. Once remediated the clean soil will be available for beneficial reuse.

To ensure the air quality is safe for residents in the area, STT selected a treatment plant with specialized engineering controls that will enable the elimination of nearly all smoke and vapor emissions. The

treatment plant contains a baghouse collection and filtration system with a 99.98% effectiveness at removing particulate matter (i.e. smoke) from the exhaust air. The remaining vapors will then be treated through a thermal oxidation unit with a rated volatile organic compounds (VOCs) destruction efficiency of 99%. In accordance with ADEC requirements, the baghouse and oxidizer will be in operation at all times during plant operation.

We look forward to working with the people of Nikiski in the operation of this facility. In addition to being a constant source of future employment for the community, we also endeavor to play a major role in supporting the cleanup and restoration of various contaminant impacted sites throughout Nikiski and the greater borough area. We plan to operate this facility with transparency and integrity to ensure the safety of the residents and the protection of the environment.

Response: *Comment acknowledged.*

General Response Regarding Denial of Permit: *The Department acknowledges concerns regarding the installation and operation of a soil remediation facility in Nikiski. However, the regulatory standard for approval or denial of a minor air quality permit is based on whether the permit meets the regulatory provisions in Title 18 of the Alaska Administrative Code, Chapter 50 (18 AAC 50). The Department believes the requirements for minor permit review and issuance under 18 AAC 50.542 are being met and intends to proceed with issuing the final permit. The comments have not provided a regulatory or statutory basis for the Department to not proceed with issuing the permit.*

General Response Regarding Air Quality Concerns: *The Department acknowledges concerns regarding air quality impacts resulting from STT's operations. However, with respect to emissions from the SRU, annual potential emissions of all criteria pollutants are below the regulatory thresholds warranting an evaluation of their impacts. The thresholds adopted into regulation under 18 AAC 50.502(c)(1) were established to protect the Alaska Ambient Air Quality Standards (AAQS) and to comply with the Clean Air Act. Emissions that are below those thresholds are unlikely to violate the AAQS. (The AAQS are analogous to the National Ambient Air Quality Standards which are set by the EPA to protect human health and the environment.)*

Nevertheless, STT has an obligation to comply with a number of relevant air quality regulations, including those prohibiting the release of emissions that present a potential threat to human health or safety (Standard Permit Condition II – Air Pollution Prohibited) and a requirement to mitigate impacts from fugitive dust generating activities. These obligations are observed and enforced through permit terms and conditions and ongoing compliance activities.

STT has developed a fugitive dust control plan and the permit requires that they operate in accordance with their plan. The plan states that soil stockpiles will be stored inside a Quonset structure protected from wind and precipitation. Additionally, water will be applied to suppress fugitive dust and odors. The permit also requires monitoring, recordkeeping and reporting, including responding to and recording, credible complaints of fugitive emissions carried beyond the facility boundary and that are directly attributable to STT's operations or activities.

Credible complaints can be submitted using the Division of Air Quality's complaint form:
<https://dec.alaska.gov/Applications/Air/airtoolsweb/Complaints/>

General Response Regarding the Soil: *The soil treated at this facility will be contaminated with petroleum, oils, and lubricants. Condition 15 of Minor Permit AQ1657MSS01 prohibits STT from collecting and*

remediating any soils classified as hazardous waste under 40 CFR 261.4(b) and 18 AAC 62. For soils potentially contaminated with chlorinated hydrocarbons, the permit requires pre-approval by the Department's Contaminated Sites Program as well as source testing and additional monitoring, recordkeeping and reporting. Condition 10 of the permit also requires that STT operate in accordance with the provisions of a Thermal Operations Plan approved by the Contaminated Sites Program.

Although the permit does not address the location where the contaminated soil originates or require that the soil be transported in covered trucks, cleanup operation requirements in 18 AAC 75.360(4)(D)¹ and corrective action plan requirements in 18 AAC 78.250(e)(5)² both reference provisions for transporting contaminated soil as a covered load in compliance with 18 AAC 60.015.³ Soil treatment regulations in 18 AAC 78.273(a)(1) require that STT "obtain approval of an operations plan before accepting or treating contaminated soil; the Department will approve the plan if it determines that the proposed operations are protective of human health and safety, and of the environment."

General Response Regarding Water Quality Concerns: *Water quality issues and concerns are outside the scope of this permitting action. This public comment period was exclusively for comments regarding the Department's preliminary decision to issue Air Quality Control Minor Permit AQ1657MSS01.*

General Response Regarding the Site and Location: *The Department acknowledges concerns regarding the operation of the SRU in what the comments consider to be a "residential" area. However, zoning issues are outside the scope of this permitting action and should be addressed to the Kenai Peninsula Borough. Comments suggesting an alternative location should also be addressed to the Kenai Peninsula Borough and/or STT.*

For this permitting action, there is no regulatory basis for the Division of Air Quality to require that the facility be fenced. Regarding the comment asking why the Department did not visit the site prior to moving forward with the permitting process; there is no regulatory basis for air quality staff to visit the location prior to the public notice and the Division of Air Quality did not find a reason for making such a visit.

Additionally, the Department did not find it necessary to include a siting restriction or minimum set-back from occupied structures because the permit is not classified under 18 AAC 50.502(c)(1). In order to justify imposing a set-back from occupied structures, the Department would need a credible reason for requiring an air quality modeling analysis and then the results of that analysis would have to indicate that restrictions are necessary to protect the AAAQS. For this permitting action, there is no credible reason to request a modeling analysis.

The restrictions imposed by the permit will protect nearby residents from unregulated air pollution. The permit requires that the SRU be operated using control devices at all times and that the SRU and control devices be operated according to manufacturer's recommendations. The permit also requires that the control devices be inspected and properly maintained. The Division of Air Quality will assign an inspector to ensure that STT maintains compliance with Minor Permit AQ1657MSS01.

General Response Regarding Lack of Notice: *The Department acknowledges concerns regarding the perceived lack of sufficient time to post comments. However, the Department posted the public notice and preliminary permit documents for the required 30 day period. The Department used the online system, as required by the regulation in 18 AAC 50.542(d) for minor permits. In addition, the regulation states that the Department will give notice to any person who requests to be notified, including by postal mail instead of*

¹ Oil and Other Hazardous Substances Pollution Control Regulation

² Underground Storage Tanks Regulation

³ Solid Waste Management Regulation

electronic mail if requested. Any member of the public may request the Department give them notification of all Department public notices.

There are additional ways to access a public notice online. One is through the Division of Air Quality's page at <http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices> and another is through the Department's public notice page at <http://dec.alaska.gov/commish/public-notices/>. Preliminary permit documents are available on the Division of Air Quality's page.

Revisions to the permit:

Condition 13.2 – The Department added “When operating,” to the condition because there is no reason to perform inspections for fugitive dust when the facility is not operating. STT’s Fugitive Dust Control Plan states that soil stockpiles will be contained inside a covered structure and therefore not exposed to wind.

Revisions to the technical analysis report:

The Department added additional language under Item 2, Section 4 – Application Review Findings to address comments regarding the proximity of the stationary source to local residents.