

WHITNEY'S

30 May, 2007

Representative Paul Seaton

Dear Paul,

As per your instructions we are sending this packet pertaining to the septic dump across from us at mile 148.7 Sterling Highway. We are also sending copies of letters written in regards to this matter. Some of the neighbors were gone and we could not get copies of their letters. Also included with this packet are the pictures we took back in October of 2006. The area on site still looks terrible.

We had our septic pumped last fall by Aardvark from Soldotna and the person pumping informed us that he thought that type of dumping was now illegal and that the sludge should now be processed by a processing plant as his company does in Sterling.

We have highlighted areas for your attention and referenced the matching pictures. There is a requirement to maintain a log of pumping activities and we are curious if this is being done. If in fact this log is kept then it would be interesting to see if they log all the dumps per day. There are four to six trucks a day entering this site and dumping. Each truck holds 3000 gallons. The permit states no more than 1500 gallons per day. This equates to ten times the permitted discharge. There is evidence of medical waste in the ponds. These items could be seen with the naked eye at the time we took the pictures. This permit expired January 15, 2006 and we have not been able to find any up to date permit for this site. The expired permit is issued to Homer Honey Bear Pumping, and there is no such business on the Kenai Peninsula. Rob and Nancy Sherwood, the supposed owners of this pumping business are not listed on the Kenai Peninsula. Also as a requirement, there should be four monitoring wells on site. We were only able to find three and they were non operational. The stench that emanates from the area is nauseous and sickening. There is a requirement that odors must be controlled.

Any assistance you can render will be greatly appreciated as this problem is becoming more of a nuisance and a possible health hazard.

Sincerely

*Dick & Carol Whitney*

Phone: (907) 567-4361  
Cell phone (907) 299-0198  
Email:  
carol.alaskafishinlady@gmail.com

Mr. & Mrs. Richard F. Whitney  
P. O. Box 728  
Anchor Point, AK  
99556-0728

*Date 4.10.07*

*907-567-2432*

October 16, 2006

Larry M. Rozak  
P. O. Box 1179  
Homer, Alaska 99603  
Tele: 907-235-8667 and FAX: 907-235-4866

ATTN: Renee Evans  
Alaska Dept. of Environmental Conservation  
Division of Air and Water Quality  
State Discharge Permit & Certification Program  
555 Cordova Street  
Anchorage, Alaska 99501

I would like to comment on the impending renewal of ADEC Wastewater Disposal Permit No. 0023-DB016 (DEC File: 2334.45.003) that is currently operating using a temporary extension. This is a Homer Honey Bear Pumping permit for a waste disposal site at Mile Post 148.7 of the Sterling Highway and just east of Stariski Tower.

This wastewater disposal site is located in a residential area with 50 to 70 lots and homesite parcels in the nearby neighborhood with numerous new homes being erected just this last year and many existing homes that are impacted by the odors emitting from this facility. I have spoken with many of these homeowners and they agree with my opinion that we should not have to smell these nauseous odors in our homes, in our yards or in the neighborhood while walking, biking or riding 4-wheelers. These odors also lower the value of our homes and land in the area and could cause a possible health hazard for people with respiratory problems.

I would like to ask the DEC to dramatically tighten the standards under which the permit operates to achieve a no odor/ zero tolerance at all times. On page 3 of the Permit, under Site Operation, part (e) states that the DEC can require trench covers to control offsite odors. I ask that all treatment cells/trenches have required full-time covers in the new permit and that odor controlling additives be added to the sewage on required regular intervals to further help the problem.

A second problem also exists that the total volume of the sewage being dumped appears to be much higher than the current permit allows. The current permit allows the discharge of a maximum of 1,500 gallons per day of wastewater, but the term discharge is confusing in what it applies to. On page 3 of the Permit, under Site Operation, part (a) says that the Permittee is authorized to discharge five types of sewage into septage pits. This appears to mean that the trucks that pump septic tanks can only deliver or discharge into the holding trenches 1500 gallons per day. If this is the meaning of the discharge term, then a severe violation of this permit has occurred repeatedly. In 2004, I witnessed 2 to 6 trucks per day delivering an estimated 5000 to 15,000 gallons (assumes only 2500 gallons per truck that can carry much more) over the course of four months when I worked on my excavator on my land that is adjacent and directly south of the road that leads to the waste disposal site. I also have spoken to my neighbors who have a view of the trucks turning off the Seward Highway heading to the disposal site and they confirm that over the last few years, 2 to 6 trucks dump daily.

The other interpretation of the word discharge could refer to a maximum of 1500 gallons per day of treated wastewater discharge from the holding treatment cells/trenches into the surrounding area. This would allow a maximum of 547,500 gallons per year (1500 gal. x 365 days) and would allow the trucks to deliver much more than 1500 gallons per day. The problem now becomes an average of 4 trucks, holding an average of 10,000 gallons of sewage, delivering an estimated 200 delivery days per year that would deliver 2,000,000 gallons per year. Since the treatment cells only allow 547,500 gallons to pass through; then either 1,452,500 gallons have evaporated into the air and has created a massive odor problem or this wastewater disposal facility still has a severe violation of the permit in dumping quantities of sewage far greater than permitted. If this is the correct interpretation of the word discharge, then I ask that the new permit only allow a yearly total of 547,500 gallons to be dumped into the facility with no more than 90,000 in any month (3000 gal./day x 30 days), which should keep large dumping in short time periods from over loading the system and causing bad odors.

Larry M. Rozak  
P.O. Box 1179  
Homer, AK 99603

Home Phone: 907-235-8667  
Home FAX : 907-235-4866

October 16, 2006

### COVER LETTER

To my neighbors in the Stariski area concerned with the local sewage dump site,

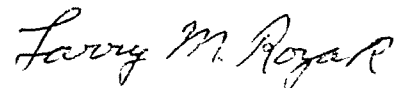
Included with this cover letter is my letter of public comment on the impending renewal of the Homer Honey Bear Pumping permit that the DEC will decide within weeks or maybe months and selected pages of their 2001 Wastewater Disposal Permit No. 0023-DB016.

I spoke with Renee Evans of the Anchorage Office (Phone: 907-269-7568) that will oversee the renewal of the permit and she informed me that they cannot deny the permit, but can only establish standards for the permit and do inspections for possible violations. She encouraged concerned residents of the Stariski neighborhood to do written public comment on the new permit. She wanted people to specify when they smelled bad odors-- was it during a certain time of the month or at times when the wind was right when coming from a facility that smelled all the time.

When you read my written comments, you will see that I am asking the DEC for a no odor/zero tolerance standard in the new renewed permit. This is not only good for our noses, but will prove expensive for Honey Bear Pumping to provide pit/trench covers and other odor controlling additives. If it proves too expensive for Honey Bear to do this, then we all hope they will close down the facility and move to a remote location; therefore I ask that you also stress that you want full time pit/trench covers to control the odors. I also attacked the excessive dumping of sewage above the permitted levels and I ask that if any of you have also witnessed 2 to 6 trucks entering the dump site on a daily basis -- to mention it in your comments.

Thanks for your time and consideration.

Sincerely,



Larry M. Rozak

copy

December 5, 2006

Stewart E and Gloria L. White  
P.O. Box 931  
Anchor Point, AK 99556  
Tele: (907) 567-1024 and (907) 277-0439

ATTN: Renee Evans  
Alaska Dept. of Environmental Conservation  
Division of Air and Water Quality  
State Discharge Permit & Certification Program  
555 Cordova Street  
Anchorage, Alaska 99501

RE: Impending Renewal of ADEC Wastewater Disposal Permit No. 0023-DB016  
(DEC File: 2334.45.003)

This wastewater disposal site is located at Mile Post 148.7 Sterling Highway in a residential area with 50 to 70 lots and homesite parcels in the area. Numerous new homes are being erected in this area. Our existing homes and area are currently being impacted by the odors emitting from the disposal site. Homeowners that we have spoken with agree with our opinion that we should not have to smell these nauseous odors in our homes, in our yards, while sitting on our decks or in the neighborhood while walking, biking or doing yard chores. The smell lowers the value of our homes and land in the area and could cause possible health problems for people with respiratory problems.

We would like to request that DEC dramatically tighten the standards under which the permit operates to achieve a no odor/zero tolerance at all times. We request that all treatment cells/trenches have required full-time covers in the new permit and that odor controlling additives be added to the sewage on required regular intervals to further help the problem.

Our home is located at Mile Post 148.2 of the Sterling Highway. There are days that walking up our drive, we find it necessary to cover our nose and mouth with a scarf to keep the stench from gagging us. It does not seem fair that the actions of one parcel in our area be allowed to impact the residents and homeowners.

Sincerely,

Stewart E. and Gloria L. White  
Homeowner  
Block 1, Lot 7 Bishop Subdivision

Harold & Kathryn Hale  
P.O.Box 687  
Anchor Point, AK 99556  
(907) 567-3626  
hdhale2@worldnet.att.net

November 8, 2006

Attn: Renee Evens  
Ak Dept of Environmental Conservation  
Division of Air and Water Quality  
State Discharge Permit & Certification Program  
555 Cordova Street  
Anchorage, AK 99501

Re: ADEC Wastewater  
Permit # 0023-DB016  
(DECFILE 2334.45.003)

We would like to comment on the above mentioned permit renewal.  
One question - "Why can it not be denied?"

We, my husband and I, live at Mile 148.6 Sterling Hwy, very near the site. We have lived here for 14 years.

The noxious odor, more so in summer and fall, has steadily increased with the number of trucks dumping. The smell is absolutely horrible.

Perhaps an onsite inspection would confirm the abuse of the site.

I am very concerned about seepage into water well and stream contamination. There are treatment facilities available.

Please consider other options to blatant open sewage dumping.

Sincerely,

Harold & Kathryn Hale

11/8/06

FROM: Roger and Debora Donahue  
PO Box 733  
Anchor Point, AK 99556

October 31, 2006

TO: Sharmon Stambaugh,  
Program Manager, Wastewater Discharge Permits Program  
Division of Water Control  
Alaska Department of Environmental Conservation

SUBJECT: ADEC Wastewater Disposal Permit No 0023-DB016

We live along the Sterling Highway Mile 148.8, just west of the wastewater disposal site referenced in the above subject line. We built a home in this area in the summer of 2003 and since our occupancy, this disposal site was never a concern or menace until this past summer. Sometime in July 2006, we began to routinely smell odors from this site whenever the air was still or the wind came from the East. On very calm days, odors from the area would settle into our subdivision in pockets and were quite noticeable.

Also this summer, the amount of sewage dump trucks using the site seemed to be greater than years past. We honestly cannot say if we just noticed them more because of the foul odor we had to endure, or whether the sites usage actually increased. But one fact is clear - this site is being heavily used.

Since the odor seemed to be growing worse, we visited the DEC's website to learn the regulations for this type of disposal site and found that this site's permit had expired in January 2006. In September, we wrote an email of our concerns to Mr. David Johnson, Water Division's Soldotna office, but never heard back. Therefore, I am writing to you in hopes you will ensure our concerns are forwarded to the proper office.

Recently, we spoke with another neighbor about this, Mr Larry Rozak, and he told us this disposal site was operating under a temporary permit. If this is the case, we ask you to ensure this facility is meeting all requirements of their permit and State Laws and Regulations prior to issuing them another permit of any type.

We are specifically concerned they are exceeding the allowable wastewater disposal limits specified in their permit. The permit clearly states: "The permit allows the discharge of a maximum of 1,500 gallons per day of wastewater." Since one truck per day would exceed this allowance, we can for certain tell you far more trucks then one visit this site per day.

Additionally, the permit requires that odors are to be controlled so they "are not detectable off the site." We estimate that our home is 3/10<sup>th</sup> of a mile from the site, but on no-wind days we have often smelled the odors from this facility.

The facility itself seems to be lacking from proper care as the fence is deteriorated and the entire area appears unkempt and unsightly. Due to this apparent lack of proper management and maintenance, we also ask that your Division review the facility's records to ensure they have been

properly monitoring the contaminant levels as required by Appendix A – Specific Permit Conditions, Paragraph c, of their permit. There are many residential homes in this area dependent upon well water and we feel it is imperative they are not exceeding the contaminant levels allowed.

Additionally, please ensure they are complying with paragraph i, maintaining a log of all pumping activity to ensure they are not exceeding allowable wastewater dumping quantities for this facility.

In closing, we ask that you ensure this facility is meeting all the requirements of its permit to ensure the health and safety and quality of life for the residents in this area. Should the facility be in violation of its permit, we ask that you revoke and not renew the permit as allowed by AS 46.03.120.

If you have any questions, or would like additional information, you may reach us at 907-299-3239. Our physical address is 26983, Kazor Circle and our mailing address is:

Roger and Debora Donahue  
PO Box 733  
Anchor Point, AK 99556

Thank you for your attention to this matter,

Roger E. Donahue

Debora S. Donahue

copy

WHITNEY'S

October 20, 2006

Attn: Renee Evans  
Alaska Dept. of Environmental Conservation  
Division of Air and Water Quality  
State Discharge Permit & Certification Program  
555 Cordova Street  
Anchorage, Alaska 99501

We (Dick & Carol Whitney) wish to make a statement on the forthcoming renewal of ADEC Wastewater Disposal Permit No. 0023-DB016 (DEC File: 2334.45.003) which is at the present time using a temporary extension. The pumping permit is for Homer Honey Bear which uses a waste disposal site at Mile Post 148.7 of the Sterling Highway and is just east of the Stariski Tower and across the highway from our driveway and home.

This septic wastewater disposal site is in very close proximity to a residential area with between 50 and 100 lots and home sites in the surrounding area, and many new homes have been built this past year and many more are planned in the coming year. These homes are greatly impacted by the horrible odors that are being emitted from this facility. Many of the homeowners in our area agree with my views and observations that we should not have to endure the stench and sickening odors in our homes, in our yards or in our neighborhoods. Have you ever tried to have a wonderful backyard barbeque and try to eat while enduring odors such as these? Have you ever walked, rode a 4-wheeler or bicycle and had to endure a constant stench? These odors decrease the value of our properties and homes, also turn off prospective buyers of properties for sale. These odors also could quite possibly cause a health hazard for people with respiratory problems. There are numerous seniors living in this area.

We would like to request the DEC to implement a tightened standard under which the permit operates to achieve a no odor/no tolerance at all times. On page 3 of the permit, under Site Operations, part (e) states that the DEC can require trench covers to control offsite odors. We ask that all treatment cells/trenches have required full-time covers in the new permit and that odor controlling additives be added to the sewage on regular intervals to further help the problem.

There is also another problem in that the total volume of sewage being dumped appears to be much higher than the current permit allows. The current permit allows for the dumping of 1,500 gallons per day of wastewater, but the term discharge is confusing in what it applies to. On page 3 of the Permit, under Site Operation, part (a) says that the Permittee is authorized to discharge five types of sewage into septic pits. This appears to mean that the trucks that pump septic tanks can only deliver or discharge into the holding trenches 1500 gallons per day. If this is the meaning of the discharge term, then a severe violation of this permit has occurred repeatedly. Over the past few years we have observed the coming and going of these trucks from the south as well as the north and there have always been multiple trucks entering this dumping site. With our drive directly across from the turn in to the site we observe most of the trucks. Those we do not observe we hear as they slow down using their Jake breaks for the turn. One can not miss those big trucks. We have counted as many as 6 trucks entering the dump site throughout the day. I assume a truck carries an estimated 2500 gallons per truck. If one times that by 6, then that site is receiving an estimated 15,000 gallons per day.



This paragraph is borrowed from the letter written by Larry Rozak: The other interpretation of the word discharge could refer to a maximum of 1500 gallons of treated wastewater discharge from the holding treatment cells/trenches into the surrounding area. This would allow a maximum of 547,500 gallons per year (1500 gal. X 365 days) and would allow the trucks to deliver much more than 1500 gallons per day. The problem now becomes an average of 4 trucks, holding an average of 10,000 gallons of sewage, delivering an estimated 200 delivery days per year that would deliver 2,000,000 gallons per year. Since the treatments cells only allow 547,500 gallons to pass through; then either 1,452,500 gallons have evaporated into the air and has created a massive odor problem or this wastewater disposal facility still has a severe violation of the permit in dumping quantities of sewage far greater than permitted. If this is the correct interpretation of the word discharge, then we ask that the new permit only allow a yearly total of 547,500 gallons to be dumped into the facility with no more than 90,000 in any month (3000 gal./day x30 days), which should keep large dumping in short periods from overloading the system and causing bad odors.

We ask the DEC to inspect & test on a monthly basis or at least multiple times a year to determine whether or not the permit has been complied with. We have read the entire permit and can see where the permittee is granted quite a lot of freedom in making reports, keeping their records, making the tests, and complying with the permit. The problem we see is the permittee is being allowed to give accurate information which may or may not be true, consequently if the DEC has not made surprise inspections rarely or not at all, it would encourage the permittee to dump sewage at a much higher rate than the permit allows. This practice would make a lot of money for the permittee with little or no risk of being caught or anything being done about it.

If Homer Honey Bear Pumping has to spend money for pit covers, and odor controlling additives and labor to create a zero tolerance odor facility, and if their profit margins are much lower with fewer trucks delivering sewage to this facility on a daily basis, then this is the cost of doing business in a residential neighborhood. Perhaps they can relocate to a more remote location where no homes exist. The only interest that we the landowners and home owners have is our quality of life that should be nauseous odor free all the time, and a healthy environment to play and relax in. Please mail me a copy of the permit that is approved and renewed for Homer Honey Bear Pumping.

Sincerely

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Richard F. Whitney

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Carol M. Whitney

Mr. & Mrs. Richard F. Whitney  
P. O. Box 728  
Anchor Point, AK

Phone: (907) 567-4361  
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carol.alaskafishinlady@gmail.com

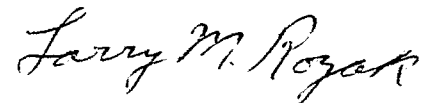
*Carol*

I ask the DEC to make monthly or multiple inspections & tests per year to determine compliance with this permit. Having read the entire permit, I can see that the permittee is granted a lot of freedom in making reports, keeping records, making tests and complying with the permit. The problem is that the permittee is being trusted to give accurate information and if the DEC has not done a surprise inspection in many years; it would encourage the permittee to dump sewage at much higher rates than the permit allows because it would make a lot of money for the permittee with what appears to be little risk of getting caught.

If Homer Honey Bear Pumping has to spend lots of money for pit covers, odor controlling additives and labor to create a zero tolerance odor facility, than so be it. If their profit margins are much lower with fewer trucks delivering sewage to this facility daily, than that is the cost of doing business in a residential neighborhood. They can always choose to relocate to a remote location where no homes exist. We, the landowners in the neighborhood, are only interested in our quality of life that should be nauseous odor free, all the time.

Please FAX or mail me a copy of the permit that is approved and renewed for Homer Honey Bear Pumping.

Sincerely,



Larry M. Rozak