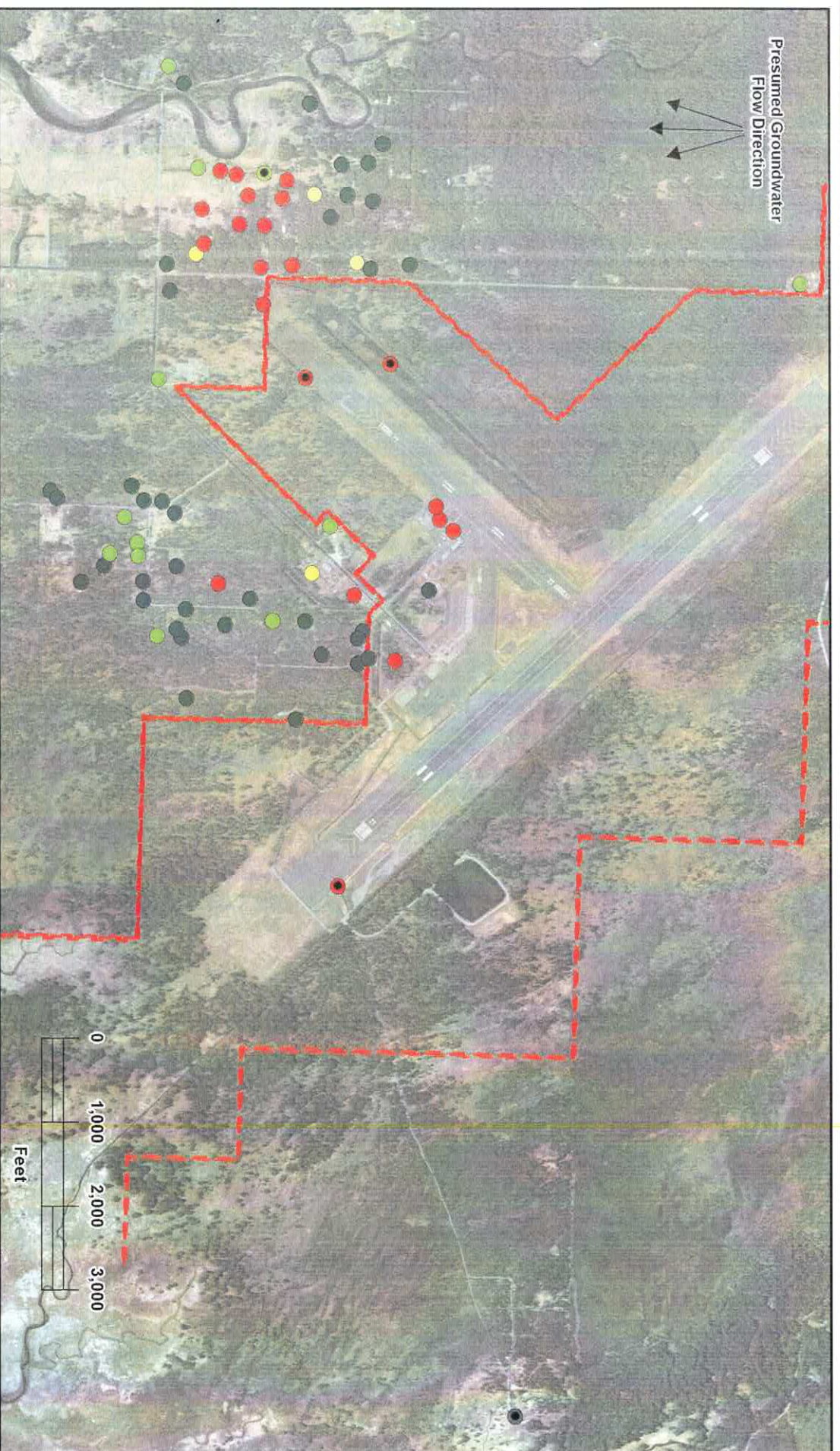


EXHIBIT A

- **SURFACE WATER SAMPLE RESULTS MAP:**
 - **OCTOBER 2018**
 - **NOVEMBER 20, 2018**
 - **PROPOSED EXPANDED SEARCH AREA**



LEGEND

Latest Result as of Oct 18, 2018

- Surface Water Sample
- ≤2.0 ppt
- 2.1 to 17.4 ppt (3% to 25%)
- 17.5 to 34 ppt (25% to 49%)
- 35 to 64 ppt (50% to 99%)
- ≥65 ppt (over action level)
- - - Airport Property Boundary

Notes:

ppt - parts per trillion
Results compiled based on sum of
PFOS, PFOA, PFHxS, PFHpA, PFNA.

Map source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



ANALYTICAL RESULTS as of Oct. 18, 2018

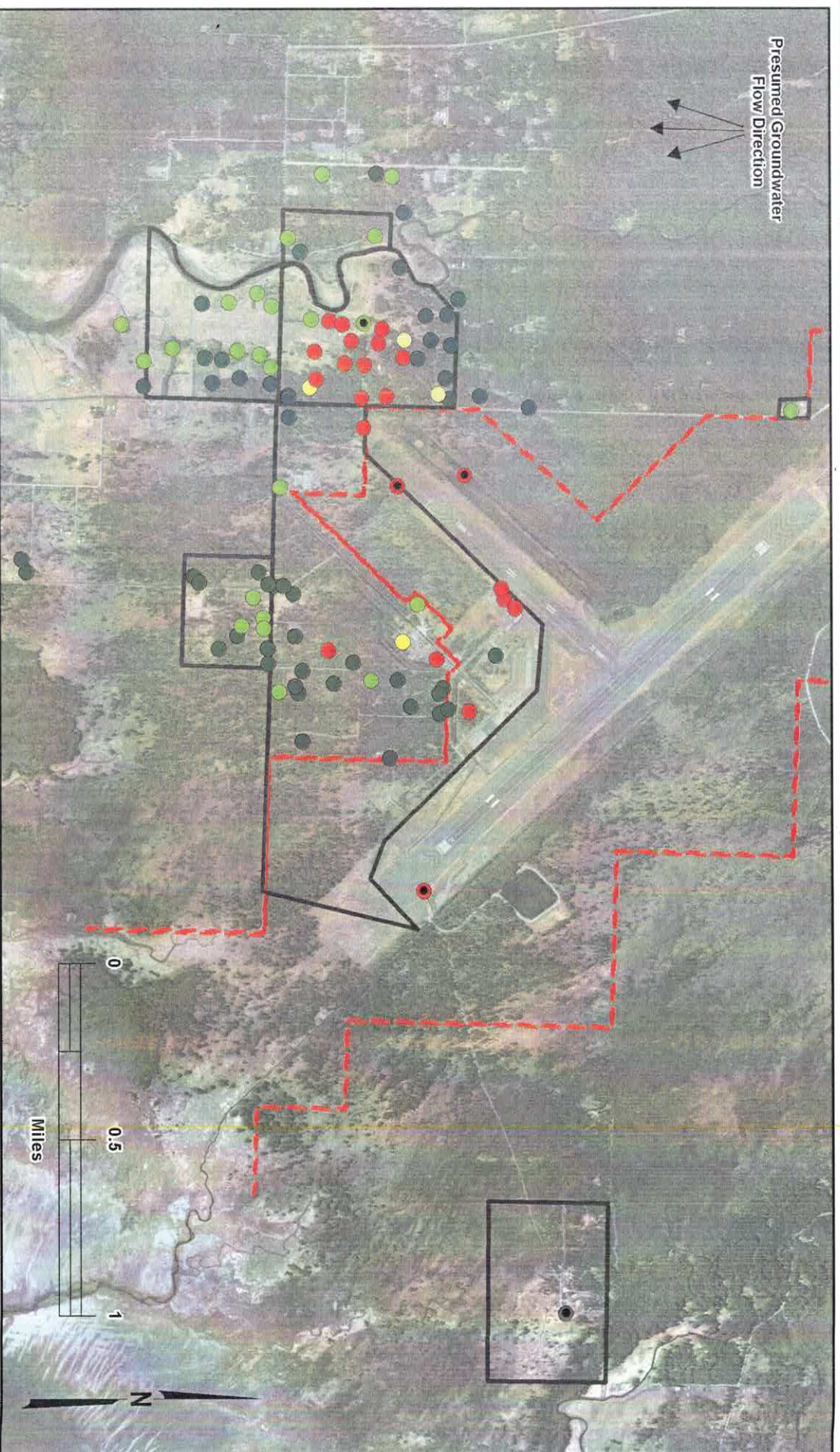
Gustavus Airport
Gustavus, Alaska

October 2018

101543

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

Figure



LEGEND

- Surface Water Sample
- Sampling Boundaries
- Airport Property Boundary
- ≤2.0 ppt
- 2.1 to 17.4 ppt (3% to 25%)
- 17.5 to 34 ppt (25% to 49%)
- 35 to 64 ppt (50% to 99%)
- ≥65 ppt (over action level)

Notes:

ppt - parts per trillion

Results compiled based on sum of PFOs, PFOA, PFHxS, PFHpA, PFNA. Where multiple samples have been collected, the map shows the highest result.

Gustavus Airport
Gustavus, Alaska

ANALYTICAL RESULTS

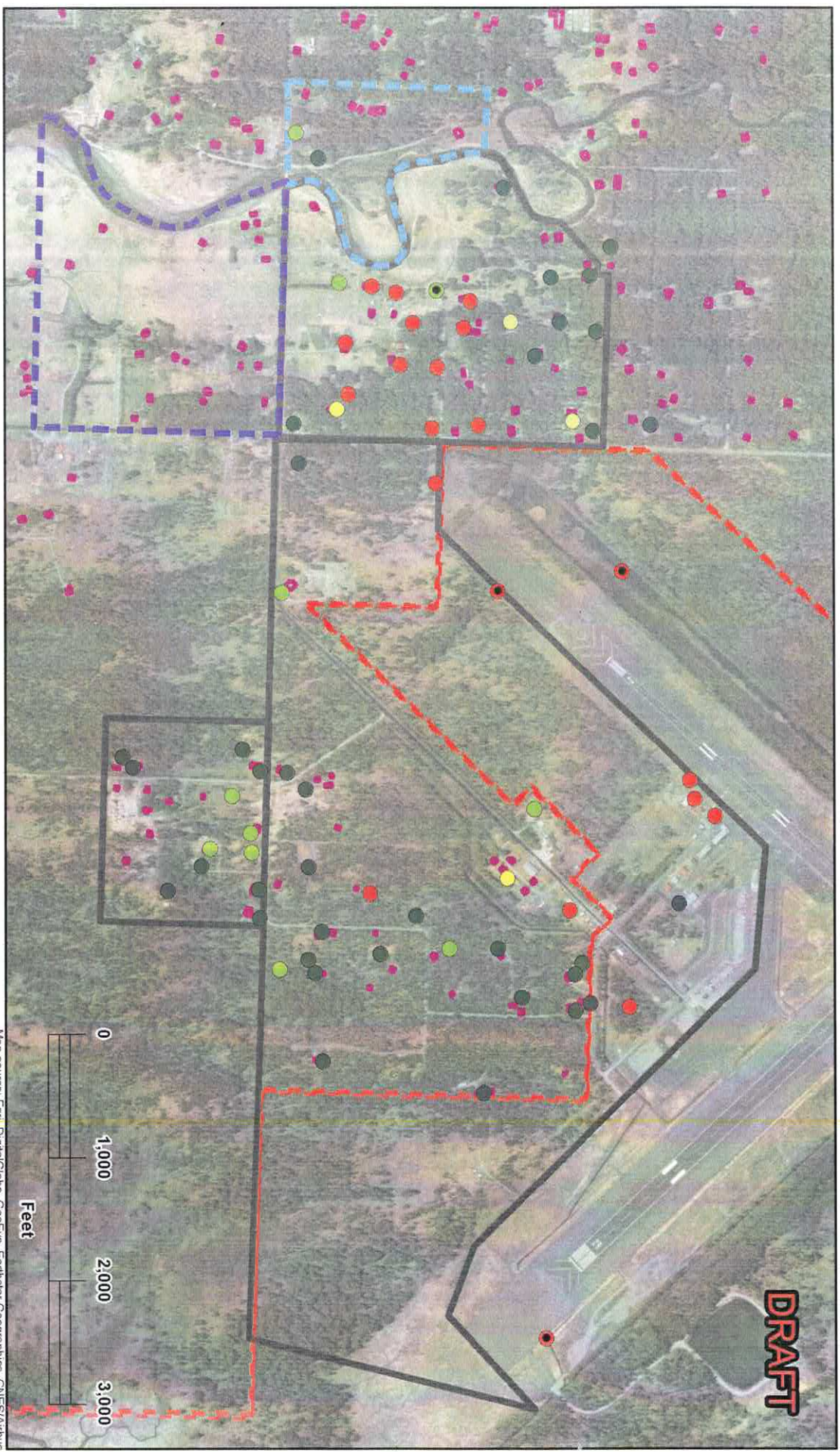
November 20, 2018

101543

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

Figure 1

DRAFT



LEGEND

- Surface Water Sample
- Latest Result as of Oct 18, 2018
- Areas 1 - 5
- Area 6
- Area 7
- Buildings
- Airport Property Boundary
- ≤2.0 ppt
- 2.1 to 17.4 ppt (3% to 25%)
- 17.5 to 34 ppt (25% to 49%)
- 35 to 64 ppt (50% to 99%)
- ≥65 ppt (over action level)

Notes:

ppt - parts per trillion
Results compiled based on sum of
PFOs, PFOA, PFHxS, PFHpA, PFNA.

Map source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Gustavus Airport
Gustavus, Alaska

PROPOSED SEARCH AREAS 6 & 7

October 2018

101543

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

Figure

EXHIBIT B

- **ADEC LTRS**
 - **OCT 12, 2018**
 - **NOV 16, 2018**



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Department of Environmental
Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

P.O. Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5250
Fax: 907.465.5245
www.dec.alaska.gov

File: 1507.38.018

October 12, 2018

Sent via electronic mail only

Tom Williams
City of Gustavus
P.O. Box 1
Gustavus, AK 99826

Re: Residence - 77 Same Old Road Gustavus
Hazard ID: 26933

Dear Mr. Williams,

**** STATE OF ALASKA NOTIFICATION - HAZARDOUS SUBSTANCE LIABILITY****

This notification letter is to advise you of your liability for the contamination identified at the Residence - 77 Same Old Road Gustavus site located at 77 Same Old Road in Gustavus. Alaska Statute (AS) Title 46 authorizes the State to respond to this pollution incident and to take appropriate action to minimize potential damage to human health, safety or welfare or to the environment. Under Title 46, any Responsible Party may be held financially responsible for any actions taken by the State.

AS 46.03.822 (Strict Liability for the Release of Hazardous Substances) establishes who is financially responsible or liable for the investigation and cleanup of any release or threatened release of a hazardous substance. State records indicate that you meet one or more of the following criteria:

- X owned or controlled the hazardous substance at the time of its release;
- X own(ed) or operate(d) the property or facility from which the release occurred;
- — own or operate the property at which the hazardous substance came to be located; or
- — arranged for transport, disposal or treatment of hazardous substances that were released.

Site History and Background

During the groundwater investigation of the Gustavus Airport perfluorooctanesulfonic acid (PFOS) release resulting from the use of aqueous film forming foam (AFFF), the groundwater at the residence (77 Same Old Road, Gustavus) was analyzed for PFOS and the results were above the Alaska Department of Environmental Conservation (ADEC) cleanup level. However, the AFFF release does not appear to be related to airport activities due to the discontinuity of the contaminant plumes. The

observed PFOS contamination at the residence appears to be the result of AFFF use by the City of Gustavus during a response to a brush fire at the residence on May 18, 2015. The Residence - 77 Same Old Road Gustavus site has been added to the ADEC contaminated sites database, which is accessible on-line at the following URL:

<http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SiteReport/26933>

Cost Recovery for State Oversight

AS 46.04.010 (Reimbursement for Cleanup Expenses) and 46.08.070 (Reimbursement for Containment and Cleanup) require that the ADEC seek recovery of certain costs, including oversight activities, incurred by the State in responding to the release or threatened release of hazardous substances. Billable oversight expenditures include the direct cost of staff time plus indirect State overhead costs, and could include travel and contractual costs. Billable staff time includes all time spent on activities related to the incident, including site inspections, response and report reviews, correspondence, telephone conversations, meetings, and legal services.

Potential for Future State Action

If you are taking adequate actions to clean up this site, ADEC's involvement in those cleanup efforts will be limited to approving characterization and cleanup plans and reports, monitoring the progress of cleanup activities, and providing guidance as necessary. However, if response actions by the Responsible Party are not satisfactory, ADEC may assume the lead role in the investigation and cleanup efforts. In the event that ADEC assumes the lead role, you may be held financially liable for any response actions taken by the State. Failure to reimburse the State for billable oversight and response actions incurred by the State to address contamination at this site may result in the filing of liens against property you own, pursuant to AS 46.08.075.

In an effort to obtain more information about the site, we request you complete the attached questionnaire and return it to me at: Danielle Duncan P.O. Box 111800 Juneau, AK 99811-1800 or via email at danielle.duncan@alaska.gov by November 15, 2018. You may assert a claim of confidentiality for any part of the information if it constitutes a trade secret or is otherwise expressly protected by Alaska law. Compliance with this information request is mandatory. Failure to provide a full and correct response to this request is a violation of 18 AAC 75.325 (Site Cleanup Rules) and AS 46.03.020(7) (Powers of the Department to conduct investigations) for which an administrative or court order may be issued and which may lead to a judgment ordering you to pay money to the State.

If you have questions about your liability under Alaska Statute, or you have questions about cost recovery and the billing process, please contact ADEC's Cost Recovery Unit by phone at (907) 465-5250 or by email at dec.spar.cr@alaska.gov.

Sincerely,



Danielle Duncan
Project Manager
ADEC Contaminated Sites Program

***Enclosures: Cleanup Process Fact Sheet
Site Information Questionnaire***

cc: SPAR Cost Recovery Unit, via email dec.spar.cr@alaska.gov
James Saracco, landowner, via email
Jen Currie, Attorney V, State of Alaska Department of Law, via email
John Halverson, Environmental Program Manager III, ADEC, via email
Bill O'Connell, Environmental Program Manager II, ADEC, via email

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) INFORMATION REQUEST

Re: Aqueous Film Forming Foam Use at Residence - 77 Same Old Road Gustavus

Please direct any questions concerning this information request to Danielle Duncan, ADEC Contaminated Sites Program, (907) 465-5207 or danielle.duncan@alaska.gov. The ADEC appreciates your cooperation and prompt reply. Your response will help the ADEC and other parties investigate and respond to the release(s) of aqueous film forming foam (AFFF) within the City of Gustavus.

It is the ADEC's understanding that a brush fire occurred at 77 Same Old Road in Gustavus to which the City of Gustavus (City) responded to on May 18, 2015. During the fire response, the City used AFFF containing per- and polyfluoroalkyl substances (PFAS). As a result, PFAS has been detected in groundwater at the site. At this time, the ADEC is asking for the following information from the City regarding this incident and other related information.

1. Provide name and City affiliation of the person answering the questionnaire.
2. How did the fire at 77 Same Old Road start? Did any other entity besides the City respond to the fire? How many response vehicles responded?
3. Approximately how much land (square feet, acres, etc.) was involved in the fire?
4. Approximately how much AFFF was used to put the fire out? What was the formulation of AFFF used i.e. water to AFFF product ratio? Was any other means such as water used to put the fire out?
5. Approximately where and how much land was treated with AFFF? Please provide a figure showing the approximate location of AFFF treatment.
6. Does the City have more AFFF currently in stock, and if so, what volume? Is there AFFF currently loaded into response vehicles? Does the City have any other fire-fighting foams in stock and in what volumes(s)? Who is responsible for AFFF storage, training, and response at the City?
7. Has the City used, discharged or disposed of AFFF elsewhere?
8. If the answer to question #7 is yes, please provide a figure of the location(s) of any known releases of AFFF by the City along with the dates of the release(s) and quantities of AFFF used at the locations identified above. Please provide a description of the activities, the foam used (e.g., type of foams were used, manufacturer, and manufacturing date), and any other information that may be pertinent.
9. Please provide any other information that you feel is relevant to the existence of or in response to potential AFFF-related contamination in the City.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER



**Department of Environmental
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE
Contaminated Sites Program

P.O. Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5390
Fax: 907.465.5218
www.dec.alaska.gov

File: 1507.38.018

Certified Mail # 7017 2400 0000 6055 2036

November 16, 2018

Sent via electronic and certified mail

Tom Williams
City of Gustavus
P.O. Box 1
Gustavus, AK 99826

Re: Residence - 77 Same Old Road Gustavus
Hazard ID: 26933

STATE LEAD NOTIFICATION LETTER

Dear Mr. Williams,

The Alaska Department of Environmental Conservation (ADEC) sent you a letter dated October 12, 2018 requesting a work plan for site characterization pursuant to 18 AAC 75.335 and 18 AAC 75.355 to delineate the extent of per- and polyfluoroalkyl substances (PFAS) soil and groundwater contamination at the site known as Residence- 77 Same Old Road Gustavus. ADEC requested that you reply with your intent to comply with this request by October 31, 2018; to date, no reply indicating the City's intent has been received

With this Notification Letter, ADEC is informing you that we intend to conduct a site investigation to include soil and groundwater sampling, using a State contractor, to delineate the extent of contamination in soil and groundwater on site. Additionally, ADEC may conduct other activities necessary to protect human health or the environment such as site cleanup, private well sampling, and related activities.

As a reminder, ADEC is required to seek reimbursement of all State oversight and response costs (see AS 46.04.010 - Reimbursement for Cleanup Expenses, and AS 46.08.070 - Reimbursement for Containment and Cleanup). Billable oversight expenditures include the direct cost of staff time, indirect overhead costs, and any necessary travel and contractual costs. Costs associated with the State-lead contact will be billed to the City of Gustavus. If the City of Gustavus is planning to conduct the work that ADEC has determined necessary to ensure protection of human health and the environment, please contact me by **no later than November 21, 2018.**

Please don't hesitate to contact me by telephone at 907-465-5207 or email at Danielle.Duncan@alaska.gov if you have any questions or wish to discuss this site in more detail.

Sincerely,

A handwritten signature in blue ink, appearing to be 'DD', followed by a horizontal line.

Danielle Duncan
Project Manager
ADEC Contaminated Sites Program

cc: Bill O'Connell, Environmental Program Manager II, ADEC, via electronic mail

EXHIBIT C

**CITY OF GUSTAVUS
RESPONSE E-MAIL TO
ADEC NOV 19, 2018**

From: Tom Williams
Sent: Monday, November 19, 2018 4:14 PM
To: Duncan, Danielle L (DEC); Oconnell, Bill A (DEC)
Cc: Mayor; Karen Platt
Subject: 77 Same Old Road

Hello Ms. Duncan and Mr. O'Connell: this e-mail is in response the ADEC's request for information from the City of Gustavus in regards to the 77 Same Old Road property contamination.

The City received the original letter from ADEC on October 12, 2018, which required confirmation the City would develop a site characterization plan in 60 days. The letter allowed only two weeks for that confirmation, requiring response by October 31, 2018.

The City had elections during the first week of October, which resulted in a new mayor and several new council members. The City notified its insurer (APEI) of the ADEC letter and began working with APEI as to how and what the City can or should do. You were advised by our city attorney (Robert Blasco) and by APEI representatives that it was not feasible for the City to develop a response and a site characterization plan in that extremely short time period. We thought you understood the challenges facing the City and that ADEC would not demand adherence to these arbitrary deadlines.

The City did immediately begin assessing the situation and working with APEI. As you know, APEI authorized the replacement of the cistern liner. A contract has been signed with a contractor to complete this, which upon completion will fix the immediate concerns. Due to scheduling issues with the contractor, that is anticipated to be installed in mid-December. The Sarocco's are out of state for several months; the cistern will be installed before they return back to Gustavus, and as such there is no emergency related to the property. It is our understanding that the contractor has had several communications with ADEC to update you on the progress.

Despite all of the above, you surprised the City with another letter, on November 16, 2018, placing a 5-day deadline on the City to respond. You were advised that was not possible as the mayor and several council members were attending AML and I was out of state having surgery.

The City has determined the prudent and reasonable course of action is to have an executive session with the new mayor and council to discuss the City's options and its response to ADEC. We are endeavoring to set up that special meeting for the first two weeks of December. Meetings at this time of year are challenging with the Thanksgiving holidays this week and coming into the December holiday season. An Executive Session is appropriate under state law for the City to consider the legal and financial implications.

The City will respond to the ADEC letters on or before January 15, 2018. We request that ADEC take no action during that time. As there is no emergency and the property owners are out of state, there is no necessity for a site characterization plan sooner than that time frame, particularly in light of the encouraging second test results.

Thank you for your consideration of the City's difficult and unique circumstances.

Tom Williams, Ph.D.
City Administrator
Gustavus, Alaska 99826
(907)697-2451

Sent from [Mail](#) for Windows 10

EXHIBIT D
ADEC INVOICE



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Environmental
Conservation

DIVISION OF SPILL PREVENTION & RESPONSE
Response Fund Administration

410 Willoughby Ave, Ste. 303
Post Office Box 111800
Juneau, Alaska 99811-1800
Main: 907-465-5250
fax: 907-465-5219

December 15, 2018

City of Gustavus
LC 14072860
ATTN Tom Williams
PO BOX 1
Gustavus, AK 99826



Re: Res-77 Same Old Road Gustavus; **VSCO16/1887/3655**:

Dear **City of Gustavus**,

Alaska Statute (AS) 46.03.822 imposes liability, including costs of DEC oversight, without fault on those that cause or permit a discharge or release of oil or a hazardous substance or those persons who own(ed) or operate(d) property or a facility at which there is contamination from oil or a hazardous substance. AS 46.08.070(a) requires the State of Alaska to recover funds expended when responding to an oil or hazardous substance site/spill. You should have received a letter from DEC concerning your responsibility for oversight costs at the above referenced contaminated site/spill. Oversight costs can include direct costs of staff time, indirect state overhead costs, contractual and materials costs. Billable staff time includes all time spent on activities related to the incident, including site visits, response and report reviews, telephone conversations, meetings, legal services and interest.

Your first invoice is attached. Please keep in mind that interest may accrue on unpaid balances starting at 60 days after the invoice date at 3% above the Federal Reserve discount rate (18 AAC 75.910). All payments should be submitted directly to DEC. There are a number of ways to pay your bill:

- **VIA CHECK** - Checks should be made out to "State of Alaska" and remitted to the address at the top of your invoice, Attn: User Fee Section. Please tear off the bottom portion of the last page of the invoice and submit it with your check.
- **VIA CREDIT CARD/EFT:**
 - **Pay Online:** Pay your bill online at <https://alaska.gov/go/SXPT>. Please note that partial payments cannot be accepted online.
 - **Pay Via Phone:** Call (907) 465-5089 to pay your bill, Monday through Friday, from 8am to 4:30pm AST.

We are here to assist you! If you have questions about your invoice, wish to make alternate arrangements for payment, or to request a payment plan, please contact the Cost Recovery team at dec.spar.cr@alaska.gov or (907) 465-5250. You will NOT be charged for contacting us regarding billing questions or concerns.

Sincerely,

Ryan Kauzlarich
Cost Recovery Section Manager (Accountant IV)
ATTACHMENT(S)

Account Statement

Alaska Department of Environmental Conservation
UserFee Section
PO Box 111800
Juneau, AK 99811-1800

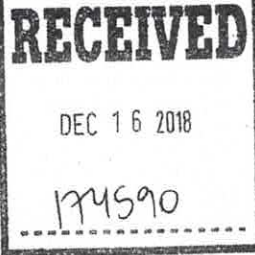
Statement Date

12/15/2018

Total Due

\$1,448.26

DEC's EIN#: 92-6001185 DUNS#: 809386857



City of Gustavus
LC 14072860
ATTN Tom Williams
PO BOX 1
Gustavus, AK 99826

Client ID: 5043

Facility ID: 5043-14072860

Facility Name: LC 14072860

Please make checks payable to State of Alaska and remit to the above address, Attn: User Fee Section.

Please include Permit # and Invoice # with Payment.
Please do not staple payment to invoice or statement.

Invoice Number	Invoice Date	Invoice Amount	Payment Applied to Invoice	Payment Applied as Late Fee	Total Payment Applied	Balance Due on Invoice	Interest on Balance Due	Total Due Including Interest
Permit # - VSCO16/1887/3655: - CS RF SITE WORK/Res-77 Same Old Road Gustavus -- Res-77 Same Old Road Gustavus <i>spar</i>								
SPAR20191299	12/15/18	1,448.26	0.00	0.00	\$0.00	1,448.26	0.00	1,448.26
Permit totals:						1,448.26	0.00	1,448.26
Total Amount Due for Facility ID								\$1,448.26

The total amount due shown above relates to Res-77 Same Old Road Gustavus. Unpaid invoices may accrue interest charges 60 days after the invoice date at 3% above the Federal Reserve discount rate as defined in 18 AAC 75.910 Cost Recovery regulation. To avoid additional late fees, please remit payment within 60 days of invoice date.

If you have any questions or wish to make special arrangements for payment, contact dec.spar.cr@alaska.gov or call 907-465-5250.

To pay online by check or credit card, visit: <http://alaska.gov/go/SXPT>

Or you may mail a check to the address shown above, or call 907-465-5089.

If you mail your payment, please detach this section and include it with your payment.

Client: 5043 - City of Gustavus

Facility: 5043-14072860 - LC 14072860

Statement Date: 12/15/2018

Invoice

Alaska Department of Environmental Conservation

PO Box 111800
Juneau, AK 99811-1800

City of Gustavus
LC 14072860
ATTN Tom Williams
PO BOX 1
Gustavus, AK 99826

Invoice Date	Invoice Number
December 15, 2018	SPAR20191299
DEC Use Inv Code: spar	
DEC'S EIN#: 92-6001185 DUNS#: 809386857	

Matter #: VSCO16/1887/3655:

Facility: LC 14072860

Client ID: 5043

Facility ID: 5043-14072860

DEC PJ Name: CS RF SITE WORK/Res-77 Same Old Road
Gustavus

Matter: Res-77 Same Old Road Gustavus

Please make checks payable to State of Alaska and remit to the above address, Attn: User Fee Section.

Detach top portion with your payment.

Please include Permit # and Invoice # with

Date	Employee	Description	Hours	Rate	Amount
Labor Charges					
10/8/18	D. Duncan	60:35 - Drafted the potentially responsible party letter and discussed with E. Reese.	0.50	83.98	41.99
10/9/18	D. Duncan	60:00 - Discussed the cistern liner replacement and higher level meeting with B. O'Connell.	0.25	83.98	21.00
10/10/18	J. Halverson	60:00 - Telecon with City of Gustavus and APEI (city's insurance) regarding response needs and coordination. Follow-up correspondence with homeowners.	1.00	123.05	123.05
10/10/18	D. Duncan	60:35 - Drafting the potentially responsible party, questionnaire, and request for work plan documents.	0.75	83.98	62.99
10/11/18	D. Duncan	60:35 - Finished drafting the potentially responsible party, questionnaire, and request for work plan documents, and sent to B. O'Connell for review.	2.25	83.98	188.96
10/11/18	D. Duncan	60:35 - Applied B. O'Connell edits on the potentially responsible party, questionnaire, and request for work plan documents, and sent back to B. O'Connell for review.	0.25	83.98	21.00
10/11/18	D. Duncan	60:00 - Discussed recent issues regarding liability with B. O'Connell.	0.25	83.98	21.00
10/11/18	D. Duncan	60:35 - Completed the initial exposure tracking model on the database.	0.25	83.98	21.00
10/12/18	J. Halverson	01:22 - Review/edit PPR letter and workplan request. Correspondence with homeowners.	0.75	123.05	92.29
10/12/18	D. Duncan	60:35 - Post J. Halverson review of the potentially responsible party, questionnaire, and request for work plan documents, and sent.	0.75	83.98	62.99
10/15/18	J. Halverson	60:05 - Calls and email with homeowners and their contractor pertaining to water system retrofit/cleaning.	1.00	123.05	123.05
10/16/18	J. Halverson	60:05 - Correspondence on providing alternative water to the property	0.50	123.05	61.53
10/17/18	J. Halverson	01:22 - Correspondence on providing alternative water	0.50	123.05	61.53
10/17/18	D. Duncan	60:50 - Discussed the water delivery/truck needs with B. O'Connell and researched and made phone calls looking for a solution.	2.50	83.98	209.95
10/17/18	D. Duncan	60:00 - Discussed the water delivery/truck needs with B. O'Connell and researched a solution.	0.50	83.98	41.99
10/19/18	D. Duncan	60:50 - Discussed water delivery with Southeast Services and relayed the information to J. Halverson, B. O'Connell, and T. Williams.	0.50	83.98	41.99

Invoice

Page 2 of 2

Alaska Department of Environmental Conservation

PO Box 111800
Juneau, AK 99811-1800

Invoice Date	Invoice Number
December 15, 2018	SPAR20191299
DEC Use Inv Code: <i>spar</i> DEC'S EIN#: 92-6001185 DUNS#: 809386857	

City of Gustavus
LC 14072860
ATTN Tom Williams
PO BOX 1
Gustavus, AK 99826

Matter #: VSCO16/1887/3655:

Facility: LC 14072860

Client ID: 5043

Facility ID: 5043-14072860

DEC PJ Name: CS RF SITE WORK/Res-77 Same Old Road
Gustavus

Matter: Res-77 Same Old Road Gustavus

Please make checks payable to State of Alaska and remit to the above address, Attn: User Fee Section.

Detach top portion with your payment.
Please include Permit # and Invoice # with

Date	Employee	Description	Hours	Rate	Amount
10/23/18	D. Duncan	60:00 - Updated the database with new data, discussed with K. Freiburger (S&W), and sent K. Freiburger reports having groundwater information.	0.75	83.98	62.99
10/24/18	D. Duncan	60:50 - Reading and responding to emails from J. Halverson and B. O'Connell re: discharge approval.	0.25	83.98	21.00
10/24/18	D. Duncan	60:50 - Working with M. Davis re: cistern discharge.	0.50	83.98	41.99
10/26/18	D. Duncan	60:00 - Working with B. O'Connell and M. Davis on the groundwater level and the cistern discharge issue.	1.00	83.98	83.98
10/30/18	D. Duncan	60:00 - Site visit with the Sarracco's to discuss the cistern liner replacement, discharge, and other issues.	0.50	83.98	41.99
Total Labor Charges					\$1,448.26
Invoice Balance Due					\$1,448.26

The total amount due shown above relates to Res-77 Same Old Road Gustavus. Unpaid invoices may accrue interest charges 60 days after the invoice date at 3% above the Federal Reserve discount rate as defined in 18 AAC 75.910 Cost Recovery regulation. To avoid additional late fees, please remit payment within 60 days of invoice date.

If you have any questions or wish to make special arrangements for payment, contact dec.spar.cr@alaska.gov or call 907-465-5250.

To pay online by check or credit card, visit: <http://alaska.gov/go/SXPT>

Or you may mail a check to the address shown above, or call 907-465-5089.

If you mail your payment, please detach this section and include it with your payment.

Client: 5043 - City of Gustavus

Facility: 5043-14072860 - LC 14072860

Project: VSCO16/1887/3655: - CS RF SITE WORK/Res-77 Same Old Road Gustavus

Invoice: SPAR20191299

EXHIBIT E

**LETTER TO MAYOR
CASIPIT FROM U.S.DOT
& FAA FEB 28, 2019 ON
THE USE OF AN AFFF
SUBSTITUE**



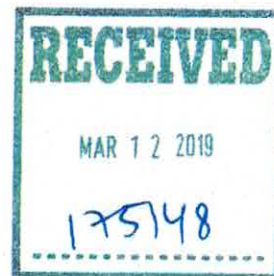
U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Associate Administrator
for Airports

800 Independence Ave., SW
Washington, DC 20591

FEB 28 2019

The Honorable Calvin Casipit
Mayor of Gustavus
P.O. Box 1
Gustavus, AK 99826



Dear Mayor Casipit:

Administrator Elwell asked me to respond to your December 19, 2018, letter expressing concern about the use of fire fighting foams containing polyfluoroalkyl substances at Gustavus Airport (GST). The Federal Aviation Administration (FAA) has worked hard to balance environmental concerns against the safety of the traveling public.

GST has an aircraft rescue fire fighting (ARFF) index of A, based on the size and frequency of the commercial aircraft serving your community. The minimum fire fighting vehicle specifications (required under title 14 Code of Federal Regulations, Part 139) already give GST an option for a fire fighting vehicle to provide either:

1. 500 pounds of sodium-based dry chemical, halon 1211, or clean agent; or
2. 450 pounds of potassium-based dry chemical and water with a commensurate quantity of aqueous film forming foam (AFFF) to total 100 gallons for simultaneous dry chemical and AFFF application.

In other words, GST does not have to use AFFF to comply with Part 139. GST can transition to using the option of 500 pounds of sodium-based dry chemical, halon 1211, or a clean agent. As another alternative, the FAA has recently issued National Part 139 CertAlert 19-01 (enclosed and available online¹) authorizing the use of three different types of AFFF testing equipment that do not require the airport to discharge foam onto the ground.

I encourage you to engage with the State of Alaska (the airport sponsor) on this matter. For further assistance, please call Kristi Warden, Assistant Manager of Alaskan Regional Airports Division, at (907)271-5443.

Sincerely,

D. Kirk Shaffer
Associate Administrator
for Airports

Enclosure

¹ Available at https://www.faa.gov/airports/airport_safety/certalerts/media/part-139-cert-alert-19-01-AFFF.pdf.



Federal Aviation Administration

National Part 139 CertAlert

****Advisory**Cautionary**Non-Directive**Advisory**Cautionary**Non-Directive**Advisory**Cautionary**Non-Directive****

Date: 1/17/2019 **No. 19-01**

To: All Certificated Part 139 Airports and Aircraft Rescue and Firefighting (ARFF) Departments

Subject: Aqueous Film Forming Foam (AFFF) Testing at Certificated Part 139 Airports

Point of Contact: Marc Tonnacliff, AAS-300, 202-267-8732
Email: marc.tonnacliff@faa.gov

- 1. Purpose.** This CertAlert provides information and guidance to airport operators regarding optional equipment for use in testing Aqueous Film Forming Foam (AFFF) systems on their Aircraft Rescue and Firefighting vehicles. It also provides information on current research into fluorine-free firefighting foams, due to recent concerns over the use and discharge of AFFF at airports. This guidance has been prepared in response to a directive in the FAA Reauthorization Act of 2018, described in further detail below, and it does not revise or replace any previously issued guidance.

This guidance is not legally binding in its own right and will not be relied upon by the Agency as a separate basis for affirmative enforcement action or other administrative penalty. Furthermore, conformity with the guidance document (as distinct from existing statutes and regulations) is voluntary only, and nonconformity will not affect rights and obligations under existing statutes and regulations.

- 2. Background.** Title 14 Code of Federal Regulation (CFR) Part 139 requires airport operators to maintain their ARFF vehicle and its fire suppression operating systems. Such systems, including the foam proportioning system and discharge functions, must be able to operate properly in an emergency situation. To help ensure their operability, the FAA recommends vehicle system testing intervals occur within 6 months of the airport's periodic airport certification safety inspection. Airports must maintain proper documentation of the testing, and have it available during the periodic inspection. If the airport operator does not conduct testing within these intervals, the FAA will require the airport operator to discharge AFFF during the airport's periodic inspection, for those vehicles identified to meet the ARFF Index. Testing during the inspection may also include an analysis by refractometer, or conductivity meter, (as referenced in the National Fire Protection Association (NFPA) Standard 412), for at least one ARFF vehicle. This testing ensures the vehicle is proportioning the AFFF and water correctly and within tolerance, and demonstrates that the operator is knowledgeable about the equipment. Testing the

system is an integral part of maintaining ARFF vehicles in optimal condition for an emergency response.

Currently, all certificated Part 139 airports are required to use foams that meet military specifications (MIL-PRF-24385), which are listed on the Navy's Quality Product Database (QPD) website:

<https://qpldocs.dla.mil/search/parts.aspx?qpl=1910¶m=QPL-24385&type=256>

Recently, there has been growing concern over the use and discharge of AFFF at airports. The molecular composition of specification MIL-PRF-24385 contains a chemical compound found to potentially contaminate drinking water. This concern led to the inclusion of a mandate within the FAA Reauthorization Act of 2018 (enacted October 5, 2018), directing the FAA to stop requiring the use of fluorinated foam no later than three years from the date of enactment (October 4, 2021).

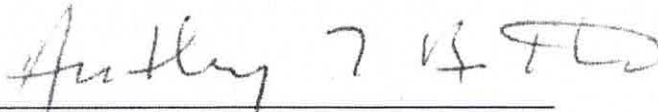
Currently, the fluorine-free foams on the market do not match the performance of their fluorinated counterparts, and they require more agent to extinguish fires quickly. Fluorine-free foams are not able to provide the same level of fire suppression, flexibility, and scope of usage as MIL-PRF-24385 AFFF firefighting foam.

The FAA is committed to ensuring safety at our nation's airports, while also balancing environmental concerns. The FAA and other organizations continue to conduct research on fluorine-free firefighting foams. To assist the research, the FAA has also begun construction on a new research facility focusing on testing for AFFF alternatives and other ARFF technologies. One of the goals of the agency's ARFF projects is to find an alternative firefighting foam that is environmentally friendly, while providing the same level of safety currently offered by MIL-PRF-24385 AFFF.

Last year, the FAA Technical Center initiated research on three different types of AFFF testing equipment that do not require foam to be dispensed onto the ground. The testing is now complete, and the FAA will accept use of these systems, shown in paragraph 3(a) below, as options to test the AFFF function on ARFF vehicles.

3. **Recommendations.** The FAA believes that testing ARFF vehicles' AFFF systems is essential to safety. We are working to give ARFF departments the flexibility to ensure they maintain their ARFF vehicles' readiness, while also addressing environmental concerns. The FAA recommends the following to airport operators:
 - a. Consider using one of the following AFFF testing systems, which the FAA has accepted for immediate use, to satisfy the Part 139 testing requirement while minimizing the environmental impact:
 - a. Eco-Logic system from E-One
 - b. NoFoam System
 - c. Oshkosh Eco EFP (Electronic Foam Proportioning) System

- b. Consider establishing local Standard Operating Guidelines/Standard Operating Procedures (in conjunction with your local or state environmental regulatory organizations) to identify a suitable location/storage container to discharge AFFF for training and/or testing to ensure the functionality of the foam proportioning system on each ARFF vehicle.
- c. Consider establishing safe and environmentally effective handling and disposal procedures during testing and re-servicing of each ARFF vehicle with AFFF.
- d. Periodically visit the FAA ARFF webpage for further guidance:
https://www.faa.gov/airports/airport_safety/aircraft_rescue_fire_fighting/
- e. Read the FAA Technical Center Report on Input-Based Foam Proportioner Testing, due to be released in early 2019.
- f. Consider contacting your ARFF vehicle manufacturer for information on next steps and vehicle modifications to begin using these optional testing systems.



Anthony Butters, Acting Manager
Airport Safety and Operations Division, AAS-300

1/17/2019

Date

EXHIBIT F

- **REQUEST TO ADOT
COMMISSIONER MCKINNON
MARCH 18, 2019 TO
REPLACE AFFF WITH
SODIUM BICARBONATE AT
THE GUSTAVUS AIRPORT**
- **REPLY FROM ADOT&PF
DEPUTY COMMISSIONER
BINDER MARCH 22, 2019**
- **RESPONSE TO ADOT&PF
DEPUTY COMMISSIONER
JOHN BINDER NOT
REPLACING AFFF AT THE
GUSTAVUS AIRPORT**

Gustavus PFAS Action Coalition (GPAC)
PO Box 234
Gustavus, AK 99826

March 18, 2019

John McKinnon, DOT Commissioner
3132 Channel Dr
Juneau, AK 99801

Dear Mr. McKinnon,

We respectfully request the immediate removal of AFFF at the Gustavus airport, in tandem with immediate replacement of Sodium Bicarbonate dry chemical. The option to use sodium bicarbonate dry chemical without need for AFFF accompaniment is clearly defined in 14 CFR Part 139.317 for Index A airports, which reads: "(a) Index A. One vehicle carrying at least— (1) 500 pounds of sodium-based dry chemical, halon 1211, or clean agent; or (2) 450 pounds of potassium-based dry chemical and water with a commensurate quantity of AFFF to total 100 gallons for simultaneous dry chemical and AFFF application."

Additionally, we request the the immediate removal of all AFFF in tanks, stored, or otherwise present in Gustavus.

We are in direct communication with the City of Gustavus, and we enthusiastically support their desire to protect human health in Gustavus and mitigate any future spills by asking for your immediate attention to this matter.

Attached you will find a letter sent from the Federal Aviation Administration (FAA) to the city, detailing Gustavus' qualifications as an Index A airport, as well as the FAA requirement quoted above. We have also attached a copy of City of Gustavus Resolution CY 18-34, which expresses our desire, as a community, to be free of these toxic AFFF products.

Please do not hesitate to reach out with any questions.
Thank you,

Kelly McLaughlin, GPAC Chair
kellyrose.alaska@gmail.com, 907-723-5459

Janet Neilson, GPAC Vice Chair



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Transportation and Public Facilities

STATEWIDE AVIATION

P.O. Box 196900, 99519-6900
4111 Aviation Avenue, 99502
Anchorage, AK
Main: 907.269.0730
Fax: 907.269.0489
dot.state.ak.us

March 22, 2019

Kelly McLaughlin, GPAC Chair
Gustavus PFAS Action Coalition
P.O. Box 234
Gustavus, AK 99826

Dear Ms. McLaughlin,

I am writing in response to your letter dated March 18, 2019 regarding the removal of Aqueous Film Forming Foam (AFFF) at the Gustavus Airport.

The Department of Transportation & Public Facilities (DOT&PF) is working with the Federal Aviation Administration (FAA) to reduce the impacts associated with the use of AFFF at DOT&PF airports throughout Alaska. In January, in efforts to protect human health, the department's Statewide Aviation division made the decision to no longer discharge AFFF unless an emergency threatening human life warrants it.

In addition to no longer discharging AFFF into the environment, Statewide Aviation is conducting a thorough review of airport indexes to identify any airports that fall under Index A. The requirement for an Index A airport in 14 CFR Part 139.317 reads; "(a) Index A. One vehicle carrying at least— (1) 500 pounds of sodium-based dry chemical, halon 1211, or clean agent; or (2) 450 pounds of potassium-based dry chemical and water with a commensurate quantity of AFFF to total 100 gallons for simultaneous dry chemical and AFFF application."

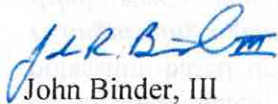
In an email dated, Feb. 21, 2019, the FAA approved a possible allowance to substitute potassium-based dry chemical in place of a sodium-based chemical based on 139.317(h), *Extinguishing agent substitutions. Other extinguishing agent substitutions authorized by the Administrator may be made in amounts that provide equivalent firefighting capability.* This means that the Aircraft Rescue and Fire Fighting (ARFF) vehicle must hold a minimum of 500 lbs. of potassium-based dry chemical. It was determined by the manufacturer, and the FAA agreed, that the department's current dry chemical, Purple K, is a far more superior product to sodium bicarbonate with a 2 to 3 times better knock down rate. Therefore, the department's current inventory of Purple K would best serve DOT&PF's mission of protecting the traveling public. Also, with this allowance from the FAA, Index A airports are not required to test their AFFF systems in ARFF vehicles and still be in compliance with the 139.317(h).

In the event of an aircraft emergency the department will still use a twin agent extinguishment

system of Purple K and AFFF, as it's proven to be the most effective fire suppressant technique. DOT&PF is unwilling to sacrifice the public's safety by removing AFFF from the airport's response inventory. An alternative type of AFFF is being researched and once it is approved by the FAA, the department will begin the procurement process to replace AFFF inventory at DOT&PF managed airports.

In summary, in order to address the needs of all stakeholders DOT&PF has agreed to only discharge AFFF in the event of an emergency that places lives in danger. Therefore, if an emergency does not take place, AFFF will not be discharged. Keeping the AFFF available could save many lives should an aircraft experience an unfortunate accident.

Sincerely,



John Binder, III
Deputy Commissioner

cc: John Mackinnon, Commissioner, DOT&PF



AT&SKV

Department of Transportation and Public Facilities

Gustavus PFAS Action Coalition
PO Box 234
Gustavus, AK 99826

April 4, 2019

John Binder
Deputy Commissioner
Alaska Department of Transportation and Public Facilities
3132 Channel Dr, Juneau, AK 99801

Dear Mr. Binder,

Thank you for your letter and for your efforts to reduce the impacts associated with the use of AFFF in Alaska. However, we are very disappointed to learn from your letter that DOT&PF has chosen to continue stocking AFFF at Index A airports throughout Alaska, despite the option of an FAA-approved, much safer alternative (sodium bicarbonate). One would assume that if the FAA deems sodium bicarbonate an appropriate and effective option for responding to fires at Index A airports (14 CFR 139.317), that DOT&PF would not hesitate to choose this option in the interest of public safety. In fact, it is hard to fathom why the state did not opt-out of using AFFF wherever possible at airports in Alaska at the first realization of its toxicity.

In your estimation, lands in Gustavus and those in other Index A airport communities will only be further contaminated by PFAS in the rare case of an emergency. While this sounds tolerable in theory, it does not take into consideration the possibility of an accidental spill or discharge, or any other potential incident that could further contaminate our land and water. Ultimately, we feel that even in the case of an emergency, *any* further release of AFFF into the environment only adds to the enormous crisis we already face.

Our water and our livelihoods have been poisoned by PFAS and we are eager to see all AFFF removed from our community as soon as possible to prevent any additional damage.

We have been exposed to the risks of AFFF long enough and we implore you, as citizens, and as Gustavus PFAS Action Coalition, to reconsider your decision in the interest of public safety.

Sincerely,

Kelly McLaughlin, GPAC Chair

EXHIBIT G

**CITY OF GUSTAVUS
RESOLUTION CY-18-34**

**CITY OF GUSTAVUS, ALASKA
RESOLUTION CY18-34**

**A RESOLUTION OF THE CITY OF GUSTAVUS, ALASKA REQUESTING IMMEDIATE
ACTION FOR THE REMOVAL OF AQUEOUS FILM FORMING FOAM (AFFF),
REPLACEMENT WITH AN ENVIRONMENTALLY SAFE ALTERNATIVE, AND COMPLETE
CONTAINMENT AND PROPER DISPOSAL OF ALL AFFF**

WHEREAS, the City of Gustavus and its citizens are very concerned with the contamination of its natural resources from the use of Polyfluoroalkyl Substances (PFAS) present in Aqueous Film Forming Foam (AFFF) currently required by the Federal Aviation Administration (FAA) for Part 139 Airports; and

WHEREAS, the Alaska State Department of Transportation (DOT) report dated November 20, 2018, shows a minimum of 46 wells including private homes, local businesses, a public school and a child care center have measurable amounts of PFAS and at least 19 contain levels above the State of Alaska's current action level for drinking water; and

WHEREAS, the potential adverse effects on human health caused by PFAS exposure at any level are as yet undefined and thus any level of PFAS exposure is potentially harmful; and

WHEREAS, the potential adverse effects on flora and fauna, including subsistence resources, caused by PFAS exposure at any level are as yet undefined and thus any level of PFAS exposure is potentially harmful; and

WHEREAS, Gustavus, the Gateway to Glacier Bay National Park, is recognized world-wide as a pristine, unpolluted ecosystem that exemplifies a natural environment untouched by contamination; and

WHEREAS, current PFAS contamination and national media surrounding the issue will have an adverse effect on Gustavus' economy including tourism and property values, as well as the overall health and wellbeing of the community; and

WHEREAS, the City recognizes that the State of Alaska, through its distribution and use of AFFF, is responsible for the PFAS contamination of drinking-water wells and accessible surface water and should be held accountable for mitigation of the contaminants and associated impacts; and

WHEREAS, the City acknowledges that the FAA currently requires the State of Alaska to use AFFF at the Gustavus airport, recognizing that the FAA has been given three (3) years to provide an environmentally safe alternative.

BE IT THEREFORE RESOLVED, that the City requests the FAA to immediately provide an exemption to the Gustavus airport allowing the use of AFFF; and

BE IT ALSO RESOLVED, that the City requests The State of Alaska remove all AFFF from the Gustavus airport immediately and provide an environmentally safe fire suppressing foam; and

BE IT ALSO RESOLVED, that the City requests DOT clean or replace all State owned and contracted vehicles and equipment in Gustavus that have been used to disburse the AFFF to ensure all potential contamination is remediated; and

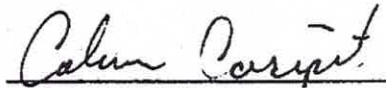
BE IT ALSO RESOLVED, that the City requests that the State of Alaska provide a system for containment and disposal of any current or future fire suppressing foam that is dispersed for testing and training purposes; and

BE IT ALSO RESOLVED, that the City requests that the Alaska State Federal delegation be actively involved with the issue of PFAS contamination as it has the potential to affect a large portion of the State's residents through resulting health issues, property valuations, and declines in tourism; and

BE IT ALSO RESOLVED, that the City of Gustavus requests assistance from Alaska Airlines in the form of petitioning the FAA to release the mandate on AFFF immediately and provide an environmentally safe alternative; and

BE IT ALSO RESOLVED, that copies of this resolution be transmitted along with the above requests and additionally, distributed to interested parties to the greatest extent practicable.

PASSED AND APPROVED by the Gustavus City Council this 18th day of December 2018, and effective upon its adoption.


Calvin Casipit, Mayor


Attest: Karen Platt, City Clerk

EXHIBIT H
GPAC LTR TO
GOV DUNLEAVY
DEC 30, 2018

Gustavus PFAS Action Coalition
PO Box 234
Gustavus, AK 99826

December 30, 2018

Governor Dunleavy
Office of the Governor
P.O. Box 110001
Juneau, AK 99811-0001

Dear Governor Dunleavy,

We, the Gustavus PFAS Action Coalition (GPAC), are writing to you today about the PFAS crisis that is currently plaguing Gustavus. As we trust you are already aware, the scale of this contamination is growing as PFAS testing continues in additional Alaskan communities with Part 139 airports. Our goal with this letter is to familiarize you with our situation in Gustavus, let you know what we have done to date, and ask for your urgent attention to this crisis.

Our organization grew from dire need. We have come together as a community to give direction, help, and support to each other. We are an assortment of business owners, long-time residents, activists, and land owners - some with affected properties, some with children at the school (which tested at 44 ppt), and some very concerned citizens. Together we hope to help shape the response to this unexpected and unfamiliar crisis.

First, we would like to praise and applaud the Alaska DOT for recently informing the FAA that Alaska would no longer comply with annual testing of PFAS-containing equipment, nor purchasing any more PFAS-containing firefighting foam. This bold action is a shining example of how Alaska can lead the nation in responding responsibly and proactively in the face of federal inaction to address the PFAS crisis.

To help you get up to speed on our actions so far, we have put together a packet of pertinent information pertaining specifically to PFAS contamination in Gustavus. We believe much of this is applicable across the state. Included in this packet are some of the actions taken by GPAC members to date, including two letters written to former Governor Walker (edited to improve clarity) and a handful of other letters written to various entities (see list of documents on next page). Additionally of note is the report from Michigan's PFAS Science Advisory Panel, a document we hope the state of Alaska will refer to often.

We urge you to take a moment and further familiarize yourself with our situation. Regrettably, what we are going through here in Gustavus is not unique. Several other communities, including Fairbanks, are already grappling with serious, widespread PFAS contamination. During your tenure as our governor, the extensive reach of the PFAS crisis will become apparent in additional Alaskan communities. Many

other, similarly affected states and countries are taking action on behalf of their citizens. We ask you to do the same.

There are several key actions that are needed, the most important being appropriate funding allocated to DOT, so that they can do what they have already begun to do, take responsible action on behalf of Alaska's people. With proper funding, DOT, DHSS, and DEC can help contaminated communities and do what is necessary to ensure the safety of Alaskans affected by PFAS.

Our top two priorities are removing the source of the contamination to halt the spread of pollution in Gustavus and establishing a baseline for health, followed swiftly by remediating contamination and restoring quality of life to those whose lives have been devastated by the poisonous chemicals in our water. Therefore, our first course of action as GPAC has been to work with city and state agencies to advocate for the removal of the contamination source: the PFAS-containing Aqueous Film Forming Foam (AFFF). The City of Gustavus has been extremely cooperative with us in this effort (see attached letters from city). We ask that the Alaska Department of Transportation and Public Facilities take a leadership role in working with the FAA to implement safe alternatives immediately. We additionally request that funding be allocated to the DOT for the immediate removal (and proper disposal) of all PFAS-containing foams in Gustavus.

At the same time, quantifying baseline PFAS blood serum levels in your exposed constituents as soon as possible is vital. As the short and long-term negative health effects of PFAS are better understood, this information will be critical in helping PFAS victims determine their best course of action given their level of PFAS exposure. Your packet includes examples where other states recommended and conducted PFAS blood sampling for contaminated residents, some with small populations such as ours. We hope you will agree that these studies establish a powerful precedent for the importance of offering testing to residents, including in small communities like Gustavus. We have previously requested that the state pay for blood tests of any resident with reasonable suspicion of exposure. Very recently we made connections with Indiana University, and we hope to work with Alaska Community Action on Toxics and Indiana University to offer PFAS blood serum tests to the residents of Gustavus. We continue to request your financial and gubernatorial support as the testing process unfolds.

In Gustavus, our economic livelihood is strongly tied with our image. We boast a pristine environment and serve as the gateway to Glacier Bay National Park. As business owners and residents, we fear major financial ramifications to the extent that our image is tarnished by the PFAS contamination. We request your immediate action to assist us in restoring our safety, our security, our lands, and our livelihoods.

May this letter serve as a jumping off point for cooperative efforts until this crisis is resolved.

Please see the attached list of documents and the corresponding attachments.

Please call or email any time. We look forward to the opportunity to talk to you in person as well.

Sincerely,

Gustavus PFAS Action Coalition

Kelly McLaughlin, Chair
907-723-5459, kellyrose.alaska@gmail.com

Janet Neilson, Vice Chair
907-697-2140, janetlneilson@gmail.com

This packet includes (double-sided print):

1. Letter to Governor Walker
2. Letter 2 to Governor Walker
3. Correspondence with various state and federal agencies exploring PFAS blood serum testing and/or storage of samples
4. Letter to City of Gustavus
5. City of Gustavus Resolution
6. Formal response from DHSS regarding blood serum testing
7. Formal response from DOT regarding removal of AFFF
8. Letter to Alaska Airlines
9. PFAS Blood Serum Studies
10. Michigan PFAS Science Advisory Panel Report (this will not be included in cc'd packets, due to length - but PLEASE READ, it is an extremely valuable document)
[https://www.michigan.gov/documents/pfasresponse/Science Advisory Board Report 641294 7.pdf](https://www.michigan.gov/documents/pfasresponse/Science_Advisory_Board_Report_641294_7.pdf)
11. Maps of Gustavus' affected wells
12. Mental health access in Australia (link provided, no hard copy)
http://www.health.gov.au/internet/main/publishing.nsf/Content/ohp-pfas-mental-health-counselling.htm?fbclid=IwAR3lhN_A2MPZ6_qTATQdnKYdGLpzndYUT8Ram8N_PrxBxDoHZIDcdQlz5w
13. Letters from the City of Gustavus in regards to removing AFFF
14. Most recent DOT actions, John Binder
15. cc'ed to the following: ADOT Commissioner, Alaska Airlines, Congressman Young, FAA, Sen Murkowski, Sen Sullivan.

Cities: Fairbanks, Dillingham, King Salmon,
Gustavus