



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

Department of Environmental
Conservation

DIVISION OF ENVIRONMENTAL HEALTH
Director's Office

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May 17, 2019

Ms. Shilo Williams
Environmental Superintendent
City and Borough of Sitka
100 Lincoln Street
Sitka, AK 99835

Sent by email only.

Dear Ms. Williams,

This letter is in response to the various email correspondence, telephone calls, and meetings between representatives from the Alaska Department of Environmental Conservation (ADEC) and the City & Borough of Sitka (CBS) since my November 5, 2018 letter regarding the CBS's secondary water system needs.

In October 2018, ADEC proposed to enter into an agreement with CBS called a Compliance Order by Consent (COBC) that would suspend action related to the ongoing turbidity exceedances at Blue Lake, without affecting the filtration avoidance approval for this system, and that could also address the criteria and timeline for coming into compliance with treatment at an alternative source such as Sawmill Creek.

ADEC believed the COBC provided CBS and ADEC the greatest flexibility to address the current issues with Blue Lake's upcoming FERC inspection, and also addressed the long-term needs of the community for a reliable secondary source of drinking water. ADEC maintains the belief that having an approved secondary source puts CBS on a path towards being able to provide safe drinking water to its residents and visitors year-round, without constant threats of interruption due to turbidity events, FERC inspections, maintenance of the penstock, or loss of Blue Lake's filtration avoidance waiver. However, since the offer of the COBC, ADEC has been unable to obtain confirmation from EPA that ADEC has the authority to grant relief from the requirement to install filtration if the number of allowed turbidity events is exceeded under the Surface Water Treatment Rule for Blue Lake.

ADEC is aware the CBS Assembly voted to authorize CBS to enter into such an agreement and obtain loans to proceed with construction of a filtration plant at Sawmill Creek as a secondary source. I am committed to continue engaging with EPA to determine if there is regulatory framework available to allow relief from installing filtration at Blue Lake, or utilize enforcement discretion if the allowed number of turbidity events is exceeded before Sawmill Creek is constructed

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and has received ADEC's interim approval to operate (currently anticipated between September 2021-2022).

As previously offered, ADEC Drinking Water Program staff are willing to come to Sitka to provide information or answer any questions the CBS Assembly may have.

Sincerely,

A handwritten signature in blue ink that reads "Carpenter". The signature is stylized with a large, looped "C" and a trailing flourish.

Christina Carpenter
Director

cc: Dan Opalski, Director, Office of Water and Watersheds, US EPA
Cindy Christian, Environmental Program Manager, ADEC Drinking Water Program
Carrie Bohan, Environmental Program Manager, ADEC State Revolving Loan Fund
Representative Jonathan Kreiss-Tomkins, Alaska House of Representatives
Ann Robertson, Legislative Aide, Office of Senator Lisa Murkowski