

Introduced by:	Mayor at the Request of South Peninsula Hospital Service Area Board
Date:	04/20/99
Shortened Hearing:	05/04/99
Action:	Enacted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 99-23**

**AN ORDINANCE APPROPRIATING \$450,000 IN UNRESERVED RETAINED
EARNINGS FROM THE SOUTH PENINSULA HOSPITAL FUND FOR REMOVAL OF
AN UNDERGROUND STORAGE TANK, INSTALLATION OF A NEW ABOVE
GROUND TANK, SITE REMEDIATION, AND ASSOCIATED STRUCTURAL AND
CIVIL WORK AT THE SOUTH PENINSULA**

- WHEREAS,** on January 12, 1999 South Peninsula Hospital (SPH) received a Compliance Order By Consent (COBC Number UST-99-460) from the Alaska State Attorney General indicating that the borough had not closed or upgraded an underground storage tank (UST) located at SPH as required by state and federal law; and
- WHEREAS,** acceptance of the COBC would resolve the violation of state and federal law and extend the deadline to close or upgrade the UST to March 1, 1999; and
- WHEREAS,** the Kenai Peninsula Borough signed the order accepting its provisions; and
- WHEREAS,** SPH received an extension of the deadline to March 16, 1999 and partially complied with the COBC by closing the tank prior to that date; and
- WHEREAS,** it is now necessary to remove the tank, remediate the site, install an above ground replacement tank, and complete associated construction work in order to fully comply with the COBC; and
- WHEREAS,** it is necessary to complete the UST project prior to start of the SPH expansion project expected to begin later this summer; and
- WHEREAS,** sufficient funds are available in the SPH Enterprise Fund unreserved retained earnings account to complete this project; and

WHEREAS, the SPH Service Area Board unanimously passed a motion asking that the borough assembly appropriate the funds necessary to complete the project with a shortened hearing in order to avoid delays to the SPH expansion project.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That \$450,000 is appropriated from unreserved retained earnings of the South Peninsula Hospital Enterprise Fund to account 601.81211.49999.99UST for removal of the existing underground storage tank, site remediation, installation of a new above ground tank, and associated structural and civil work at the South Peninsula Hospital.

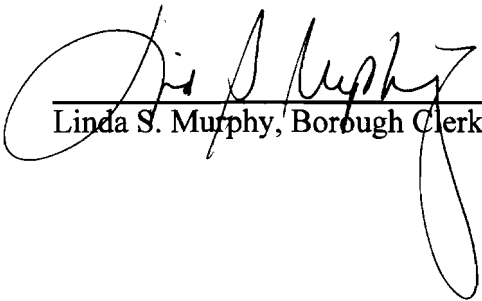
SECTION 2. That this ordinance takes effect immediately upon enactment.

ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS 4TH DAY OF MAY, 1999.



Ronald Wm. Drathman, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

