

Introduced by: Superman, Brown,  
Poindexter  
Date: October 30, 1990  
Action: Failed  
Vote: 8 Yes; 8 No  
Reconsidered: Nov. 13, 1990  
Action: Adopted as Amended  
Vote: 15 Yes; 1 No

KENAI PENINSULA BOROUGH

RESOLUTION 90-120 (AMENDED)

A RESOLUTION OPPOSING THE CURRENT DEPARTMENT OF ENVIRONMENTAL CONSERVATION (D.E.C.) REMEDIATION METHODS AT COOK'S TESORO STATION

WHEREAS, the statutory authority for the current cleanup process at Cook's Tesoro Station in Sterling remains unclear despite repeated requests for clarification; and

WHEREAS, the current method of remediation may be noxious, injurious, and hazardous to a neighboring landowner who had filed a complaint prior to the commencement of cleanup work on this site; and

WHEREAS, the Kenai Peninsula Borough has expressed interest in protecting the health and welfare of its residents through KPB 21.12 code;

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

Section 1: The Assembly opposes current remediation methods at Cook's Tesoro Station without due public process, including the administrative procedures of KPB 21.12.

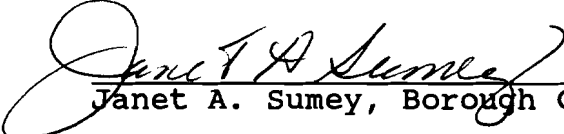
Section 2: The Assembly requests that the DEC remove and relocate off-site any and all petroleum contaminated soils located within the existing containment cell. The Assembly further requests that the area containing said containment cell be returned to its prior uncontaminated status as soon as possible.

Section 3: That copies of this resolution be sent to the Governor; Dennis Kelso, Commissioner of D.E.C.; Mark S. Hickey, Commissioner of D.O.T.P.F.; all legislators representing the Kenai Peninsula Borough; and Representative-elect Gail Phillips.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 13TH DAY OF NOVEMBER, 1990.

  
James W. Skogstad, Assembly President

ATTEST:

  
Janet A. Sumey, Borough Clerk