



# Municipality of Skagway

Gateway to the Klondike  
P.O. Box 415  
Skagway, Alaska 99840  
Phone: (907) 983-2297 Fax: (907) 983-2151  
[www.skagway.org](http://www.skagway.org)

February 29, 2016

Office of the Commissioner  
Alaska Department of Environmental Conservation  
410 Willoughby Ave., Ste. 303  
P.O. Box 111800  
Juneau, AK 99811-1800  
Telephone:(907) 465-5066  
Fax Number:(907) 465-5070  
[dec.commissioner@alaska.gov](mailto:dec.commissioner@alaska.gov)

To whom it may concern:

Under the Alaska Open Records Law, A.S. Code § 40.25.110 et seq., the Municipality of Skagway requests the opportunity to inspect and obtain copies of all public records, including drafts, e-mails and memoranda of conversations, that address any and all matters addressed by the Alaska Department of Environmental Conservation during the period from **1/1/2015 until the date of this request**, relating to the Skagway Ore Terminal (ADEC Case file 1526.38.004; a.k.a. EPA ID AKD981767148; EPA site name Nahku Ore Facility), including, but not limited to:

- 1.) Records, including e-mails and memoranda, of all matters pertaining to licensing, compliance, enforcement, sampling, monitoring, analyses, planning, discussion, and policy formulation relating to air, water, contaminated sites and environmental health issues and actions at the SOT.
- 2.) Records, including e-mails, involved with or relating to the issuances, deliberations, adjudication, responses and status of all "Notice(s) of Violation", "Notice(s) of Contamination," and all other compliance actions.
- 3.) Records of all corrective action measures implemented at the SOT to mitigate contaminant discharges, known to ADEC.
- 4.) Records of all environmental and related sampling and monitoring at the SOT, including all laboratory communications, QA/QC reports and regulatory certifications.
- 5.) Records of all ADEC communications with current SOT users and operators and with persons or entities identified by ADEC as potential future SOT users or operators or whom have contacted ADEC inquiring as a future user or operator, including all e-mail communications.
- 6.) All State and Federal intergovernmental communications, including all e-mails, with and between ADEC and AIDEA, ADNR, ADFG, USEPA, USCOE, NOAA NMFS, USFWS, Office of the Governor of Alaska and staff persons in the Office of the Governor, regarding the SOT.

- 7.) All communications, including all e-mails, with and between ADEC and Skagway Ore Terminal clients, owners, operators and responsible parties and their consultants, including:
- White Pass and Yukon Railroad
  - AIDEA, AIDEA affiliates and board members
  - Capstone Mining Corporation, Minto Explorations Ltd., and their subsidiaries
  - Mineral Services Inc., David Hunz
  - Carson Dorn, Inc.

and involving, but not limited to, specific current or former ADEC personnel:

- a. Danielle Duncan
  - b. John Halverson
  - c. Kara Kusche
  - d. Sally Schlichting
  - e. Bruce Wanstall
  - f. Larry Hartig
  - g. Michael Solter
  - h. Jim Rypkema
  - i. Jim Plosay
  - j. Michael Hale
  - k. Sandra Woods
  - l. Tiffany Larson
  - m. Shilo Williams
  - n. The Current and former Director(s) of:
    - i. Air Quality
    - ii. Environmental Health
    - iii. Spill Prevention and Response
    - iv. Division of Water
    - v. Administrative services
- 8.) All records of consultations and communications between ADEC and the Municipality of Skagway and between ADEC and the Skagway Traditional Council.
- 9.) All materials relating to the development, issuance, consideration, description, and enforcement of prior and current site-wide Institutional Controls (ICs), including ADEC records of responses to the Municipal of Skagway's requests for the opportunity for consultation, review, and participation in the IC process, and records of consultation and communications with the Skagway Traditional Council regarding the facility ICs.
- 10.) All records, including emails, of the preparation for, execution, and follow up of the September 2015 Directors and Commissioner's summit on the Skagway Ore Terminal, specifically including all meeting notes, drafts, minutes, and memoranda of conversations by the participants before, during and following the summit.

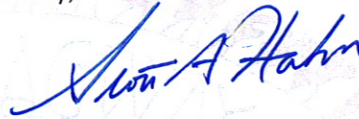
If there are any fees for searching or copying these records, please inform me if the cost will exceed \$2500. However, we would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest as it will contribute significantly to the public's understanding of ADEC's ability, capacity, and resolve to protect the citizens of Alaska from risks associated with exposure to toxic substances. This information is not being sought for commercial purposes.

We ask that you please respond to this request in a reasonable time period. If access to the requested records we are requesting will take longer than 60 days from the date of this request, we ask that you provide us with a specific timetable for their release.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

We look forward to your prompt response.

Sincerely,



Scott A. Hahn  
Manager, Municipality of Skagway  
907-983-2297 voice  
Email: [s.hahn@skagway.org](mailto:s.hahn@skagway.org)

