

Presented by:
Port Director

Action Taken:
Yes____
No____
Abstain____

CITY OF NOME

ORDINANCE NO. 25-04-01

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE WEST NOME TANK FARM BY THE CITY OF NOME FROM THE UNITED STATES OF AMERICA

WHEREAS, the former 6.58 acre petroleum storage facility located on Port Road, Nome, Alaska, known as the "West Nome Tank Farm" (hereinafter the "WNTF") is currently owned by the United States of America; and

WHEREAS, the WNTF petroleum storage facility was constructed by the United States Air Force ("USAF") in approximately 1947 and was operated thereafter by the USAF, Standard Oil Company of California, Chevron's predecessor, and Crowley through 1991; and

WHEREAS, the WNTF was demolished by the USAF in 1992; and

WHEREAS, prior to its demolition, the WNTF facilities included fuel storage tanks of various capacities, one fuel pump station, and piping; and

WHEREAS, releases of petroleum fuel products occurred at various times during the WNTF's operational history; and

WHEREAS, petroleum hydrocarbon contamination, caused by or resulting from historical operations at the WNTF, has been discovered to be present in the soil and groundwater at the WNTF at various locations (hereinafter the "Contamination"); and

WHEREAS, the Contamination has migrated down gradient and has impacted adjacent property; and

WHEREAS, the Alaska Department of Environmental Conservation ("ADEC") has managed efforts to characterize, contain, and clean up the Contamination; and

WHEREAS, in accordance with ADEC standards, the USAF has completed the required remediation and continues to monitor the WNTF property; and

WHEREAS, Section 2832 of the National Defense Authorization Act of 2015 authorized the Secretary of the USAF to convey the WNTF to the City under certain conditions, which conveyance the City wishes to accept; and

WHEREAS, due to the Contamination, ADEC requires certain additional environmental covenants to be in place prior to the transfer of ownership from the USAF to the City; and

WHEREAS, the parties have come to an agreement as to the terms of the necessary environmental covenant, quitclaim deed, and ongoing monitoring and containment work with respect to the WNTF property.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Nome Common Council as follows:

Section 1. Authority. This ordinance is adopted pursuant to authority granted by NCO 2.10.020(A).

Section 2. Classification. This is a non-Code ordinance.

Section 3. Authorization to Acquire Real Property from the United States. The City Council hereby authorizes the purchase of certain real property from the United States of America (Lot 5 of amended U.S. Survey No. 451 lying within Section 26, Township 11 South, Range 34 West, Kateel River Meridian Alaska) for a purchase price of \$10.00 substantially upon the terms and conditions contained in Attachment 1 “Quitclaim Deed and CERCLA 120(h) Covenants and Environmental Restrictions” and associated exhibits hereto attached. Such authorization is dependent on the necessary Environmental Covenant being recorded prior to the execution of the transfer of title to the City via Quitclaim Deed. The City will bear responsibility for recording fees, if any, associated with the transaction.

Section 4. Effective Date. This ordinance is effective upon adoption.

PASSED AND APPROVED this 14th day of April, 2025

JOHN K. HANDELAND
Mayor

ATTEST:

DAN GRIMMER
City Clerk