

## Tribal Superfund Working Group (TSWG) Call Notes

March 12, 2014, 2 pm – 3:15 pm Eastern

The workgroup goal is to help maintain and enhance the connections made at the Tribal Lands Forum meetings and foster connections among tribal environmental professionals working on Superfund issues.

*These are salient point notes recorded by Anne Dailey and Bob Myers, EPA and are only intended to record the key points and not the details of the discussions. Changes should be noted ASAP so that they can be reflected in revised notes.*

### Attendance:

Tim Kent	Quapaw Tribe of OK	John Prohaska	Bad River Band of Lake Superior Chippewa
Jamie Donatuto	Swinomish Indian Tribal Community	Craig Arquette	St. Regis Mohawk Tribe, NY
Annie Merritt	New Channel Tribal Council	Katie Kruse	Keweenaw Bay Indian Community
Larry Campbell	Swinomish Indian Tribal Community	Kevin Hurrell	Little Traverse Bay Bands of Odawa
Caj Matheson	Coeur d'Alene Tribe	Craig Graveratte	Saginaw Chippewa Tribe
Jason White	Cherokee Nation	Amy Garcia	Pueblo of Laguna
Diane Stevenson	Cherokee Nation	Jacob Terrance	St. Regis Mohawk Tribe, NY
Victoria Flowers	Oneida Tribe of Wisconsin	Margaret Chavez	Eight Northern Indian Pueblos Council
Melissa Witkowski	Grand Traverse Band of Ottawa and Chippewa	Jane Neumann	EPA, Region 5
Richard DuBey	Short Cressman & Burgess PLLC	Tim Fisher	EPA, Region 5
Randy Connolly	Spokane Tribe	Amelia Piggott	EPA, Region 8
Larry Tippit	Peoria Tribe	Lily Tavassoli	EPA, Region 9
Kristen Hanson	Lac du Flambeau Band of Lake Superior Chippewa Indians	Janice Sims	EPA, Office of Solid Waste and Emergency Response, Tribal Coordinator
Pam Bumsted	Sun'aq Tribe of Kodiak	Christine Poore	EPA, Office of Superfund Remediation and Technology Innovation (OSRTI)
Tosch McClure	Yakama Nation	Bob Myers	EPA, OSRTI
Susan Hanson	Shoshone Bannock	Anne Dailey	EPA, OSRTI

### Welcome and Introductions

Thank you for participating on the call today! An updated roster was attached to the call invitation but we would any changes or additions to the roster.

- We asked for feedback on the 2 pm Eastern start time (moved from Noon Eastern). People were supportive of the later start time and no objections were raised so we will adopt 2 pm Eastern as the new standard start time for these calls.

**Update on Tar Creek Catholic 40 Remedial Action (led by Quapaw Tribe) – Tim Kent, Quapaw Tribe**

- See materials provided by Tim (attached to meeting invitation and these notes)
- Tar Creek is 100% on tribal lands and the mining impacted area is culturally significant to the Quapaw Tribe so they are very interested in leading the cleanup effort
- This is the first Superfund remedial action implemented by a Tribe
- Tribal involvement started in 2002 with their first management assistance grant and has continued with subsequent management assistance grants and Superfund cooperative agreements.
- Quapaw conducted the 2005 historic heritage study and site characterization work in 2013
- Tribe is “self-performing” the work using the Tribal construction firm (~\$3 M for Catholic 40)
- Tribe has a health & safety manager and all cleanup workers are 40 hr HAZWOPER trained
- Tribe hopes to contribute to cleanup at other parts of the Tar Creek site in the future- Viewed as a win/win and key things that contributed to success:
  - Established working relationship under a management assistance cooperative agreement with EPA which helped the tribe build capacity and knowledge
  - Management at Tribe and EPA are connected and have a good relationship
  - Oklahoma State and Congressional delegations supportive of Quapaw’s role
  - EPA has been providing helpful oversight for the Tribe

**Updates to the Development of Indigenous Community Health Indicators for use in evaluating non-physical aspects of health and well-being – Jamie Donatuto and Larry Campbell, Swinomish Indian Tribal Community**

- See materials provided by Jamie and Larry.

- Goal: to develop Indigenous health indicators that reflect how communities define and prioritize health beyond the individual, physical aspects health indicators on a broader scale
- Currently working with 4 tribes to test the indicators nationally
- Please let Jamie know if your tribe may be interested in also testing the Indigenous community Indian health indicators
- Work is being done with EPA funding, but also have NIH and National Library of Medicine Health funding, and funding from individual tribes

**Tribal Applicable or Relevant and Appropriate (ARAR) Requirements – Christine Poore, EPA**

- A general discussion was held focusing on the status of tribal regulations as ARAR.
- As a matter of policy, tribal regulations may be ARAR
- Tribal regulations would need to meet the same criteria as State regulations to be considered for inclusion as ARAR and would be assessed on a site-by-site basis
- Whether or not a program is delegated should not affect the ARAR status of the tribal regulation

**Round Robin / Other Announcements:**

- Pamela Bumsted said that she is pleased to be involved in the TSWG again after participating in the group years ago
- Request for Proposals for the OSWER Cooperative Agreement for Tribal Support will be going out soon, hope for award in summer 2014
- No Tribal Lands Forum in 2014 – while nothing definite yet expect to do a series of webinars during the late August TLF meeting period (~ 3<sup>rd</sup> week in August).
- Please contact Tribal Superfund Working Group steering committee members Tim Kent or Victoria Flowers if you have any suggestions for presentations for the August TLF webinars

**EPA's TechDirect site** identifies new technical, policy and guidance resources related to the assessment and remediation of contaminated soil, sediments and groundwater. Everyone is encouraged to subscribe at <http://clu-in.org/techdirect>.

Per request do information on the call:

2014 DOI Restoration Program National Workshop will be in Phoenix, Arizona **April 28-May 2**. For more information see: <http://www.cerc.usgs.gov/nrdar/nrdar.aspx>

Itep Full Circle Newsletter is available at: [http://www4.nau.edu/itep/waste/docs/FullCircle\\_V4\\_I6.pdf](http://www4.nau.edu/itep/waste/docs/FullCircle_V4_I6.pdf) (The current edition includes an article about the Catholic 40 RA and Navajo Ur.)

### **Next Steps**

- Next call –

- Proposed date of **July 9<sup>th</sup> (Wed.)** for the next call. **Please check to make sure this date is ok and let Bob or Anne know if this date poses a major conflict.**
- **Future calls will be at 2 pm Eastern to better accommodate western and Alaskan Tribal participants.**

Please contact Tribal Superfund Working Group steering committee members Tim Kent or Victoria Flowers if you have any suggestions for presentations for the August TLF webinars

***- A big thank you to Tim, Jamie and Christine for presenting and everybody for your participation and involvement!***