

Tribal Superfund Working Group (TSFWG) Conference Call

Thursday, November 6, 2014

10:00 am Alaska; 11:00 am Pacific; 12:00 pm Mountain; 1:00 pm Central; 2:00 pm Eastern

Attendance

- Michael Chacon, Pueblo de San Ildefonso
- Dino Chavarria, Pueblo of Santa Clara
- Rosita Clarke-Moreno, USEPA Region 5
- Randy Connelly, Spokane Tribe of Indians
- Fred Corey, Aroostook Band of Micmacs
- Anne Dailey, USEPA OSRTI
- Richard DuBey, Short Cressman & Burgess PLLC
- Amy Garcia, Pueblo of Laguna
- Kevin Hurrell, Little Traverse Bay Band of Odawa
- Greg Jojola, Pueblo of Laguna
- Tim Kent, Quapaw Tribe
- Katie Kruse, Keweenaw Bay Indian Community
- Christen Lee, Wyandotte Nation
- Karen Lumino, USEPA Region 1
- Cindy Marchand, Colville Confederated Tribes
- Joanne Moore, USEPA Region 10
- Bob Myers, USEPA OSRTI
- Jane Neumann, Second Wind Consulting
- Nick Nichols, USEPA OEM
- Katherine Owens, Interstate Technology and Regulatory Council
- Christine Poore, USEPA OSRTI
- John Prohaska, Bad River Band of Lake Superior Chippewa
- Adam Ringia, Pueblo of Laguna
- Rochelle Rollenhagen, Little River Band of Ottawa
- Janice Sims, USEPA OSWER
- David Smith, Fond du Lac Band of Lake Superior Chippewa
- Doug Stevens, Salish Kootenai College
- Diane Stevenson, Cherokee Nation
- Melissa Witkowski, Grand Traverse Band of Ottawa and Chippewa
- Jason White, Cherokee Nation

Introductions and Welcome

- Following introductions of all individuals on the call, Todd Barnell of the Institute for Tribal Environmental Professionals (ITEP) discussed the new five year cooperative agreement between ITEP and USEPA OSWER. This program, the Tribal Waste and Response Assistance Program (TWRAP) has four specific tasks related to tribal Superfund issues:
 - ITEP will assist the TSFWG by coordinating two to three annual conference calls.
 - As part of the annual Tribal Lands and Environment Forum (TLEF), ITEP will ensure there are breakout sessions and training opportunities specific to Superfund program concerns. Additionally, time will be made available at the TLEF for an in-person meeting of the TSFWG, as at past TLEFs. The next TLEF is scheduled to take place during the third week of August, 2015. Travel scholarships will be made available to members of the TSFWG to assist those who otherwise would not be able to attend the TLEF.
 - ITEP will also coordinate an annual two day site visit and training for members of the TSFWG. This activity will take place at a Superfund site affecting tribal lands and people, with the first occurring in 2015. Again, travel scholarships will be made for those members of the TSFWG who otherwise would not be able to attend.
 - ITEP will also design and publicize a new website focused on tribal Superfund issues. This website will be modeled on our existing Hazardous Substance Research website.

- Discussion: Todd Barnell asked everyone on the call for any thoughts they had on these tasks or suggestions for training topics. Following is a list of suggestions made by those on the call:
 - Several members stressed that they found it very helpful, when first dealing with Superfund site challenges, to hear from other members of the TSFWG who had more experience. Sharing lessons learned, ideas for conducting effective outreach, what works and what doesn't, have proven to be very helpful to other members regardless of the level of the expertise.
 - Sharing and networking between members of the TSFWG, and having the opportunity to visit sites and actually see what is being done, have helped many understand their situations are not unique, as well as introducing them to new techniques and strategies.
 - The challenges of enforcement, and the need to develop strong legal frameworks, including lifeways in risk assessments, and assessing damages to recoup costs. Many times these issues are handled on a tribe by tribe basis, and the idea of having a more national approach was discussed.
 - During discussion of potential training topics it was suggested that ITEP take a tiered approach, being sure to offer trainings at basic, intermediate, and advanced levels since tribes are at different levels of experience when dealing with Superfund and other contaminated sites.
 - Specific training needs raised in the discussion included 40-hour HAZWOPER and the 8-hour refresher, types of grants available and potential other funding sources, and how to effectively manage budgets and build sustainable programs.
 - During discussion of potential resources on the new website it was suggested to include a synopsis of the various Superfund, mining operations, Department of Defense properties, and other sites of concern that affect tribal lands, waters, and people. This synopsis would help visitors to the website understand the national nature of these types of sites.
- Action Items: Todd Barnell requested that members of the TSFWG please send him any additional ideas they have on the following issues:
 - Potential topics for future conference calls.
 - Potential topics and/or presenters for the 2015 TLEF.
 - Potential sites for the annual site visit and training, as well as training topics.
 - Types of resources they would find most helpful on the new Superfund website.
 - You may contact Todd Barnell at 928-523-3840 or todd.barnell@nau.edu.

Cooperative Agreements

- Joanne Moore, from USEPA Region 10, initiated a discussion on cooperative agreements, providing an overview of some of the various types of cooperative agreements available to tribes working on Superfund and other contaminated sites. Bob Myers also spoke on a variety of cooperative agreements, giving a national perspective on options available to tribes.
- Discussion: It was suggested that there at least be a panel discussion on this topic, providing perspectives from USEPA headquarters, regional offices, and tribal professionals working under these cooperative agreements. It was suggested that including USEPA personnel working in brownfield cooperative agreements might also be helpful. An additional important point was raised that, while grant funding is of course useful, it is also important for tribal programs to move toward recouping costs and enforcing their own sovereignty. This topic should also be addressed at a breakout session during the TLEF.

Interstate Technology and Regulatory Council (ITRC)

- Katherine Owens provided an overview of the work conducted by the Interstate Technology and Regulatory Council (ITRC), including the work of their subject specific teams. These teams are involved in developing a variety of resources, guidance documents, and trainings. Several of these teams are in need of tribal representation. These tribal stakeholders must be affiliated with, or are employees of, Indian Tribes, or are Native American, Alaska Native, or Native Hawaiian. Ms. Owens explained the process of applying to serve on ITRC teams (please see her contact information below if you are interested).
- Discussion: Michael Chacon from the Pueblo de San Ildefonso explained how he has been involved with the ITRC for many years and has found their resources, trainings, and assistance to be invaluable.
- For more information about ITRC's work, and how to become involved in their activities, please visit their website at: <http://www.itrcweb.org/Team> or contact Katherine at: 208-521-3696; kowens@eicap.org

Information Exchange

- There was no information exchange between those on the call.