

CHEROKEE NATION ENVIRONMENTAL PROTECTION COMMISSION
Cherokee Nation Environmental Protection Office
208 E. Allen Road, Tahlequah, OK
September 3, 2013

PRESENT:

Commissioner: Ed Fite

Commissioner: J. Blake Fletcher

Commissioner: Dr. Marty Matlock, Chairman, via conference phone

Commissioner: Jack Spears, absent

Commissioner: Dr. Lynna Carson, absent

STAFF AND GUESTS:

GV Gulager, CN Nat. Resources

Belinda Sinor, CNE

Jamie Clinton, CNWM

Wayne Isaacs, CNEP

Bob Short, CNEP

Tom Elkins, CNEP

Shaun West, CNEP

Nancy John, CNEP

Jackie Woodward, CNEP

Debra Wilson, CN Gaming Comm.

Dwayne Fain, CNEM & Risk Mgmt

Laura Adair, CNEP, Recorder

1. Meeting called to order by Commissioner Fite at 9:30 AM.
2. Commissioner Fite acknowledged and placed into record the Record of Public Notice and Agenda.
3. Commissioner Fite made a Motion to approve the minutes from the August 6, 2013 meeting. Commissioner Fletcher seconded the Motion. Roll call vote, minutes approved.
4. Public Comment – none.
5. Reports
 - A. EPC & Environmental Programs & NEPA projects for Realty, IHS, NAHASDA, Roads – Mr. Elkins reported that the ODEQ contacted the CNEP regarding bid specifications that were not in compliance with asbestos rules. Cherokee Nation Housing Authority modified the specifications and re-bid the job. Mr. Elkins reported on the children's fishing event held during the Cherokee National Holiday which was organized and coordinated by Environmental Programs staff and other volunteers. Resolutions were approved at the August Rules Committee meeting to re-confirm Commissioners Fite and Matlock. Mr. Isaacs reported on an incident where a toddler was diagnosed with elevated blood lead levels last week in Adair County. CNEP staff tested the interior of the residence and found no lead base paint. Samples of soil were taken from the back yard and a shop area where metal work has been done over the years. The child had been observed eating dirt on a few occasions. A younger sibling was also being tested. Lab sample results have not been received but it is believed that the elevated levels of lead are contributed to the consumption of soil that was contaminated with lead. Results should be received this week. Mr. Isaacs provided more detailed information regarding the actual sampling locations.
 - B. Administration Support – Mr. Gwin was absent, no additional information to report.
 - C. Cherokee Nation Businesses – Ms. Sinor reported no incidents for August.
 - D. Emergency Management – Mr. Fain apologized for not submitting a written report for the month. Met with the state over some road/bridge damage in Mayes County and some dollars

will be received. Ms. Copeland met with the state about developing different teams to work with them during declared disasters.

- E. Natural Resources Department – Mr. Gulager stated he had no additional information to report.
6. Cherokee Nation Sanitary Landfill
- A. Report – No additional information to report.
 - B. Compliance Issues – Mr. Elkins stated that there are environmental issues at the landfill that had been known for a while, they need addressed but have not been pushed due to the uncertain status of landfill operations. These issues do not cause immediate harm to the environment or people. The Council voted to keep the landfill open. After meeting with Mr. Clinton and Mr. Woodward, environmental issues will be phased in over a period of time. There are methane and NDPEs issues, spill control and containment if there was a spill. The current permit is either conditional or interim. The landfill has requested a complete permit and should have one. With the Commission's permission, develop a timed environmental type issue of implementation to delineate all the current issues in an agreement between the landfill and EPC. Goal is compliance on all issues. Mr. Elkins stated that a draft could be ready in a couple of months, perhaps the November meeting. Commissioner Fite stated that it is his understanding the landfill has received approximately \$800,000 to purchase equipment and install electricity to the back side of the landfill to relieve the back-up system which is being used as the primary to run the pumps for leachate. Will that funding cover this or will additional funding be needed? Mr. Clinton replied that the funding will not cover the installation of electricity. The \$800,000 is for equipment and salaries. The \$850,000 will cover the lease purchase payments for one year and salaries. Generated revenue will assist with the electricity and moving the sumps for additional space. Mr. Elkins stated that with additional trash that comes in, they are going to have to create additional space. For regulatory purposes, a fly-over contour map is being done of the landfill which will show more specifically where trash could be put and where it should not be put. At some point a cell will need to be constructed. Commissioner Fite stated that the landfill's operations are beyond the scope of the Commission but now that the decision has been made to keep the landfill open, one issue that must be addressed is getting the electric to the back and getting away from the backup system. Mr. Clinton stated that he thought the cost to do this was around \$30,000. Commissioner Fletcher asked if the quote on the electricity was from Ozark. Mr. Clinton replied in the affirmative and that the quote had been obtained prior to his management. Mr. Woodward stated that there is notable improvement at the landfill. Mr. Elkins reported that Mr. Short is applying for a screener's card through the Department of Interior to acquire surplus equipment.
7. Cherokee Nation Water Plan
- A. Discussion – Ms. Hill was not present, no additional information. Mr. Elkins reported that work is continuing on the development of the work plan. Funding has been received for different phases.
 - B. Comments – none
8. New Business – none.
9. Announcement of upcoming meetings and events – The next EPC meeting is scheduled for October 1, 2013 at 9:30 AM. The November meeting will be held on November 5, 2013 at 11:00 AM. TMDL meeting will be held during the week of November 12-15, 2013 at the Cherokee Casino in Siloam Springs hosted by Cherokee Nation. Friday is the Illinois River Clean-Up, STIR annual meeting is Sunday, September 22nd at Go Ye Village, 1:00-4:00 PM. The Arkansas/Oklahoma River Compact Commission meeting is Thursday, September 26th at Shangri-La at the Vista Towers, top floor.
10. Chairman Matlock made a motion to adjourn, seconded by Commissioner Fite, roll call vote, meeting adjourned.