

CHEROKEE NATION ENVIRONMENTAL PROTECTION COMMISSION
Cherokee Nation Environmental Protection Office
208 E. Allen Road, Tahlequah, OK
April 3, 2012

PRESENT:

Commissioner: Marty Matlock (Conference Call)
Commissioner: Ed Fite

STAFF AND GUESTS:

Jackie Woodward, CNEP
Laura Adair, CNEP
Bob Short, CNEP
Wayne Isaacs, CNEP
Shaun West, CNEP
Dwayne Fain, CNEM
Doug Bane, CNWM
Mark Dunham, CNNR
Paula Pettit, URS
Ryan Callison, CNEP
Roger Fields, CNB

APPROVED
DATE *May 1, 2012*

1. Meeting called to order by Commissioner Fite at 9:38 AM.
2. Commissioner Fite acknowledged and placed into the record the Record of Public Notice. Introductions by all meeting attendees.
3. Commissioner Matlock made a Motion to approve the minutes from the March 8, 2012 meeting. Commissioner Fite seconded the Motion. Minutes approved.
- 4 Public Comment

Paula Pettit with URS inquired about the status of the Request For Proposal for Phase 1 of the CN water management plan. Ryan Callison stated that the proposals received were under review and may have to re-bid the RFP.

5. Reports
 - A. EPC & Environmental Programs & NEPA projects for Realty, IHS, NAHASDA, Roads – no additional information to report. Chairman Fite requested an update on the status of the Kenwood Water District related to the compliance checklist.
 - B. Natural Resources Department – no additional information to report.
 - C. Cherokee Nation Businesses – Mr. Fields reported incidents of small gas and diesel fuel spills which were promptly addressed, cleaned and disposed of. Commissioners complimented CNB on response and Mr. Fields provided an example of an incident of an antifreeze spill that required 3 cups of absorbent which exemplifies CNB's level of commitment to cleaning up spills that occur.
 - D. Emergency Management – Mr. Fain stated EM is working on closing out the Hazard Mitigation grant. Emergency Management assisted Kenwood Water District by providing drinking water during the heavy rain period Staff will be attending the Tribal Homeland Security grant program meeting and the mitigation conference in Texas. Also, the Inter-Tribal Emergency Management Conference will be held on May 14-16 in Thackerville, OK.

6. Cherokee Nation Sanitary Landfill

A. Report – Mr. Bane reported that the reports provided to the Commissioners indicated a rainfall event resulting in a short free board situation. Three inches of water had been removed by the time of the report and there is currently 16-17” of freeboard and water is continuing to be pumped. The plan is to continue pumping water and re-circulate to get level down to about 3ft. of freeboard. Commissioner Fite inquired whether any testing had been conducted to determine the constituency of the water. Mr. Bane responded that no additional testing has been conducted since the last test on file. He has discussed with Administrator Elkins the possibility of conducting tests but there are permit issues with any kind of discharge or relocation of that water. Commissioner Fite stated that under Oklahoma Water Quality Standards there couldn't be a discharge the tributaries of Lee Creek and they need to be cognizant of that. Until sampling takes place and it is determined that the water is considered stormwater, it has to be treated as though it is leachate. Commissioner Matlock responded by stating that the landfill needs to decommission the leachate pond and reclassify as a stormwater collection pond so then the landfill can operate with full cognizance of liabilities associated with stormwater rather than leachate. A process for decommissioning and recharacterizing the leachate pond needs to be done quickly. Protocol needs to be developed to determine if sediment on top of the liner has any contaminants of concern that are below EPA detection limits. Protocol should also include certifying and reclassifying in accordance with the appropriate discharge criteria for a stormwater pond.

B. Compliance Issues – Mr. Woodward reported there were issues with the level of freeboard which were mentioned previously by Mr. Bane in his report. Another is issue that the landfill staff is operating a dual working face. They are placing tubing on top of cell 4 and they do not have it spread and compacted yet and this needs to be addressed. Mr. Bane stated that they will have that taken care by the end of the week. The material in question is the new reject tubing that is not “trash material” but a new product and it will used to fill where the recirculation is done. It will be covered and used to shape the top of cell 4. Commissioner requested Mr. Woodward to provide them a report on the landfill by the end of the next week.

8. New Business – None at this time.

9. Announcement of upcoming meetings and events – The next EPC meeting will be held May 1, 2012 at 9:30 AM. The CN Environmental Festival will be held on Friday, April 13th at the Complex. The Landfill will be having an annual “Free Day” in coordination with Adair County on April 21, 2012.

10. Commissioner Matlock made a Motion to adjourn, seconded by Commissioner Fite. Motion passed and meeting adjourned.