## Minutes of the April 7, 2005 Meeting

# Cherokee Nation Environmental Protection Commission 206 E. Allen Road, Tahlequah OK

#### Present

Ed Fite, Chairman of the CN Environmental Protection Commission Cheryl Cohenour, Commissioner

Staff and Guests:

Harold Landon, CNE
Angela Drewes, Acting Director, Natural Resources
Pat Gwin, Natural Resources
Michael Lynn, Community Services/Environmental Health
Billy Hix, Community Services/ Environmental Health
Bobby Short, OES
Nancy John Director, Office of Environmental Service (OES)
Doug Bane, Tribal Resources/ CN Landfill Operations
Tom Elkins, Director Office of Environmental Programs (OEP)
Randy Gee, OES

- 1. Chairman Fite called the meeting to order at 9:15 a.m.
- 2. Chairman Fite acknowledged the meeting notice and distribution list as indicated in the Record of Public Notice, and placed the Record of Public Notice and Agenda for the April meeting into the official record.
- 3. Commission Cohenour made a motion to approve the minutes from the March 3, 2005, meeting. Chairman Fite seconded the motion. The vote to approve the minutes was unanimous.

#### 4. Reports

A. Office of Environmental Protection - Director Tom Elkins provided a written report that was placed into the record. Staff met with Richard Fields, Director of the Cherokee Nation Historical Society. We may have some staff trained as archeological field inspectors or we may seek establishment of an official Historic Preservation Office. A grant would pay for 60,000.00 and the tribe would pay 40,000.00 to run the office. Either way, the tribe would no longer have to pay outside firms for this kind of work.

- B. Environment Services Director Nancy John provided a written report that was placed into the record. Ms. John noted that June 28 and 29 have been selected for holding the annual ITEC conference.
- C. Natural Resources Department Pat Gwin provided a written report that was placed into the record. Mr. Gwin noted that 4000 trees were given away for the annual Arbor Day event. He also noted that he helped secure funding for total retention bathroom facilities at the stomp ground facility located just to the west of the culture grounds. He also worked with fire crews that have been on 935 acres of tribal wild fires.
- D. Roads NEPA activities Michael Lynn provided a written report that was placed into the record.

#### 5. Cherokee Nation Hazardous Waste Code - Jeannine Hale

The code has been sent out for public comments. One of the major changes was to prohibit any new hazardous waste disposal and prohibit incineration of hazardous waste in the Cherokee Nation. There were several suggestions:

- Address emergency response
- The code should also be gender neutral.
- Check definitions in sections 1311 and 1312 for consistency.
- Add underground injection control provisions.

The Commission will wait until the next monthly meeting to vote on the Hazardous Waste Code.

## 6. Cherokee Nation Landfill - Doug Bane

Mr. Bane presented the landfill's Request for Approval of a Variance for the Inter-cell Liner System. The staff discussed federal regulations and guidance documents including the MSW Landfill Criteria Technical Manual. The Commission instructed Mr. Bane and Mr. Gwin to compile data and provide it to A&M Engineering so they can prepare of documentation necessary to support a decision that the landfill's Request will meet performance based design criteria under 40 CFR Section 258.40 and applicable federal requirements. The Commission will have a special meeting on Monday the 25th day of April at 9:00 a.m. on the landfill's request. Permitting issues could also be addressed at the special meeting.

7. Permit for commercial sewage system at Cherokee Nation Cultural Grounds.

No application for permit had been submitted, so this agenda item was tabled.

8. Complaints, Permits and Enforcement A. Cherry Tree Wastewater System

Mr. Elkins reported that lagoon repairs have been started but are not complete. There was also a sewer break that required repair. Community Service is going to pay for the repairs through the Housing Authority. Michael Stephens is supervising the project.

## B. Highway 51 diesel spill

Mr. Short submitted a written report and it was placed into the record. A spill of diesel occurred at the CNE property on Highway 51 west of Tahlequah. The spill emptied the 500 gallon aboveground storage tank but the exact amount is unknown. Community Services employees recovered a mixture of water and diesel sand stored it in septic tanks. The septic tanks need to be labeled. Five truck loads of contaminated soil were taken away from the site. Commissioner Cohenour congratulated Environmental Programs staff on a job well done in responding to the spill.

#### 9. New Business-

Mr. Elkins received information regarding new construction of a Westville wastewater treatment plant.

# 10. Miscellaneous discussion None.

The meeting was adjourned by unanimous vote.