

**CHEROKEE NATION ENVIRONMENTAL PROTECTION COMMISSION**  
**Cherokee Nation Environmental Programs Office**  
**208 E. Allen Road, Tahlequah, Oklahoma**  
**October 7, 2014 – 9:00 AM**

**PRESENT:**

Commissioner: Ed Fite  
Commissioner: J. Blake Fletcher  
Commissioner: Jack Spears

**APPROVED**  
**DATE** 12/2/14

**ABSENT:**

Commissioner: Dr. Marty Matlock  
Commissioner: Dr. Lynna Carson

**STAFF AND GUESTS:**

Tom Elkins, CNEP  
Jackie Woodward, CNEP  
Nancy John, CNEP  
Shaun West, CNEP  
Michael Miley, CNEP  
Wayne Isaacs, CNEP  
Pat Gwin, CN Admin  
Shane McMahan, CNEM  
Cohl Fowler, CN Gov. Relations  
Lindsay Earles, CN Gov. Relations  
Joseph Washum, CNB  
Fan Robinson, CNWM  
Stephanie Rainwater, SWCA  
Laura Adair, CNEP

1. Meeting called to order by Vice-Chairman Commissioner Fite.
2. Commissioner Fite acknowledged and placed into record the Record of Public Notice and Agenda, distributed and posted on September 26th.
3. Commissioner Fletcher made a Motion to approve the minutes from the September 9, 2014 meeting, with amendments, seconded by Commissioner Spears, roll call vote, minutes approved.
4. Public Comments – None.
5. Reports
  - A. EPC & Environmental Programs & NEPA projects for Realty, IHS, NAHASDA, Roads- Tom Elkins
    - Noted that the Cherokee Nation's new fiscal year began on October 1.
    - Outpost I – Met with CNB, EPA, Cherokee CRC regarding any current issues. At some point the tanks will be replaced.
    - Discussions regarding water planning budget dollars and possible projects in FY15.
  - B. Administration Support – Pat Gwin
    - The heirloom seed garden has been harvested yielded a bumper crop of everything except the Cherokee squash.

- C. Cherokee Nation Businesses – Joe Washum
    - Met with EPA on 9/16/14
    - Core testing conducted at Outpost on 9/23/14
    - Test results will be provided to Administrator Elkins
    - Request for Bids have been published for Architects to submit plans to remove and replace the Outpost including the entire tank system
    - CNB will work on improving communication with EPA officials
  - D. Emergency Management – Shane McMahan
    - Provided a summary of the CNEM monthly report
  - E. Natural Resources Department – Representative not in attendance
6. Report/Compliance Issues Cherokee Nation Sanitary Landfill
- A. Report – Fan Robinson
    - Commissioner Fite summarized the Landfill report that was provided to the Commissioners
    - Commissioner Spears commended CNWM on the positive efforts applied to the landfill operations.
  - B. Compliance Issues – Tom Elkins
    - Discussion focused on the proposed timeline for the compliance schedule that was submitted by CNWM.
    - Administrator Elkins summarized the progress of the landfill operations with regards to the compliance requirements. Mr. Elkins also noted areas that still remain significant issues related to regulatory requirements. The three critical remaining issues include: the Title V Permit, NPDES Permit and the explosive gas issue that needs to be addressed with the Title V Permit issued by EPA.
    - Fan Robinson, CNWM Chair, responded to the compliance issues and the considerations needed by the EPC and Tribal Council for the landfill to achieve regulatory compliance.
    - Pat Gwin stated that Subtitle D was initiated by EPA on October 9, 1994. The CN Administration and Council decided that the landfill would remain in operation at that time.
    - Commissioner Fite requested that the compliance schedule be tabled and placed as an agenda item at the next EPC meeting. Commissioner Fletcher made a motion to table, Commissioner Spears seconded the motion, roll call vote, motion carried.
    - Commissioner Fletcher made a motion for the EPC to hold a meeting on October 28<sup>th</sup> at 9:00AM to discuss the landfill permit and related items. Commissioner Spears seconded the motion, roll call vote, motion carried.
7. Attorney General Issues
- A. Water Plan Update/Discussion & Opportunity for Comment. Assistant Attorney General Hill was not present. Commissioner Fite requested that this item be placed on the next regularly scheduled EPC meeting agenda.
8. New Business – none at this time.
9. The next EPC meeting will be held on November 4, 2014 at 9:00 A.M.
10. The Committee meetings on the Arkansas Oklahoma Arkansas River Compact Commission will meet on October 29-30<sup>th</sup> at the Embassy Suites in Rogers, Arkansas.
11. Meeting adjourned.