From:	Sheldrake, Beth
To:	Werntz, James
Cc:	McDonnell, Kimberlee
Subject:	FW: Question
Date:	Tuesday, October 07, 2014 11:18:41 AM
Importance:	High

FYI

Beth Sheldrake | **Unit Manager**
U.S. Environmental Protection Agency | **Region 10**
Office of Environmental Cleanup
Superfund Site Cleanup Unit #1
p: 206.553.0220 | **c: 206.890-1827** | sheldrake.beth@epa.gov

From: Albright, Rick
Sent: Monday, October 06, 2014 12:05 PM
To: Cohen, Lori; Grandinetti, Cami; Sheldrake, Beth; Williams, Jonathan
Subject: FW: Question
Importance: High

FYI

From: Kelly Wright [mailto:kwright@sbtribes.com]
Sent: Monday, October 06, 2014 10:09 AM
To: Allnutt, David; Anderson-Carnahan, Linda; billy@curyungtribe.com; Albright, Rick
Cc: Woods, Jim
Subject: Question
Importance: High

How is it that a Sovereign Nation asks twice for a Government to Government Consultation and is denied? I thought we all had to comply with rules and regulations so where and how do Executive Orders fit in to play? In 2000, President Clinton passed this Executive Order and 2014 EPA Region 10 does not abide by it.

Region 10 is in the process of spreading contamination across the two Operable Units at Eastern Michaud Flats which are both in the CERCLA cleanup. Slag is being used throughout the FMC Operable Unit and now going as far as a revision request to EPA for crushing and screening slag, a radioactive and chemical contaminate. Regardless of the effort to suppress dust, Idaho has wind and they blow around impacting our resources.

EPA claims that this was addressed in the IRODA Government to Government Consultation. If this was truly the case how is it that we are being asked for a revision to the document?

EPA told the Tribes during the IRODA visit that they would continue to support Government to

Government Consultations, now we are simply told that was covered in the IRODA visit and we are in the RD process which is a step further down the road.

Lastly, what happened to the **"Trust Responsibility"?** In 1868, the Fort Bridger Treaty was signed between the federal government, the Shoshoni and Bannock Tribes. With this peace treaty, Tribal member were provided with specific treat rights which can only be utilized by members living within the exterior boundaries of the Fort Hall Reservation. These Treaty Rights include hunting, fishing, gathering and performing cultural ceremonies on unoccupied lands of the federal government. Today, our resources are continuously being impacted by contaminates limiting the usage.

One more important aspect is that there is a ban on use of slag for roadways in Idaho and on the Reservation so how can EPA come in a violate this protocol?

I feel it is importance for someone to provide me with a better answer to these questions that have been asked by Tribal Policy Makers.
Please respond.
Kelly C. Wright
Environmental Waste Management Program Manager
Shoshone Bannock Tribes