Message

From: Martinez, Maria [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C1654E39CA0B42EAABA9DE964612A0EA-MARTINEZ, MARIA]
Sent: 8/30/2021 2:56:23 PM
To: Hill, Troy [Hill.Troy@epa.gov]
Subject: RE: INFORMATION; Article on Muscogee Nation Meat Processing Plant

Got it...thanks

From: Hill, Troy <Hill.Troy@epa.gov>
Sent: Monday, August 30, 2021 9:48 AM
To: Martinez, Maria <Martinez.Maria@epa.gov>
Subject: FW: INFORMATION; Article on Muscogee Nation Meat Processing Plant

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From: Gee, Randy <Gee.Randy@epa.gov>
Sent: Monday, August 30, 2021 9:41 AM
To: Polk, Jonna <Polk.Jonna@epa.gov>; Acosta, Gerardo <Acosta.Gerardo@epa.gov>; Hill, Troy <Hill.Troy@epa.gov>; Garcia, David <Garcia.David@epa.gov>; Ngo, Kim <Ngo.Kim@epa.gov>; McGuire, James <McGuire.James@epa.gov>; Andrews, Suzanne <Andrews.Suzanne@epa.gov>; Crossland, Ronnie <Crossland.Ronnie@epa.gov>; Dwyer, Stacey <Dwyer.Stacey@epa.gov>; Seager, Cheryl <Seager.Cheryl@epa.gov>; Gilrein, Stephen <gilrein.stephen@epa.gov>
Subject: FW: INFORMATION; Article on Muscogee Nation Meat Processing Plant

Good morning everyone,

This morning I shared with David the news story below on the Muscogee meat processing plant. OCTEA has been in contact with your staff on the plant and thank you for their assistance.

Best,

Randy

From: Gee, Randy
Sent: Monday, August 30, 2021 7:58 AM
To: Gray, David <gray.david@epa.gov>
Cc: Tanimura, Erin <Tanimura.Erin@epa.gov>
Subject: INFORMATION; Article on Muscogee Nation Meat Processing Plant

David-News article on Muscogee Nation meat processing plant. OCTEA and WD have met with Muscogee Nation on the plant.

Meat plant sparks dispute between Winchester, Muscogess
(The Journal Record) 8-27-2021
Impressions: 8,500
Officials and residents of Winchester, Oklahoma, a town in Okmulgee County with a population of about 640, have notified the Muscogee (Creek) Nation of their intent to file a lawsuit in federal court over the nation's soon-to-be-constructed meat processing facility. Though not directly related to the U.S. Supreme Court's McGirt decision, the situation highlights issues regarding tribal sovereignty and jurisdiction to enforce environmental protection laws. The new Loop Square Meat Co. facility – funded with CARES Act money intended to alleviate the disruption COVID-19 posed to the meat industry – is already under construction near Glenpool, one of a handful of new meat processing facilities

Oklahoma's tribal nations are building in response to the pandemic. In 2020, the Cherokee Nation and Osage Nation also announced plans for new meat processing facilities. The Muscogee (Creek) Nation sent out a press release last fall announcing a $10 million, 25,000-squarefoot meat processing facility would be built just south of the tribe's Duck Creek Casino. "That was the first anybody heard about it," said Tulsa attorney David Page of Environmental Energy & Natural Resources Advocates. A group of Winchester residents contacted him, and he contacted the tribe's attorney general to set up a meeting Plans for the facility include an outdoor pen for the animals and a series of sewage lagoons. "My clients live on the other side of the fence," Page said. "You don't have to be Willie Mays to throw a ball that would splash the pond from my client's fence." The land was zoned residential before the nation purchased the 10-acre tract years ago, Page said, and the land was used for purposes in keeping with residential zoning until the issue of the meat processing facility came up. But once the tribe purchased the land, the nation transferred it into trust. "Basically under the Indian laws of the United States, it may or may not make this Indian territory," Page said. "And that's part of the big dispute that's going on right now: when you transfer the land into trust, does that change the rights on what you can do with that land." Depending on how many animals are stored there, the plant could not only smell bad but also create a real environmental hazard, Page said. Groundwater in the area used for drinking is only 4 feet below the surface, and construction already has revealed difficulties with erosion and flooding. Aerating water onsite by shooting it perhaps 20 feet in the air would release pathogens into the air, Page said. "Our engineers told them it was going to be dangerous for the environment and public health and they refused to talk to us after that," Page said. "We've tried to have a dialogue with them, but they just proceeded to build their plant and ignore the citizens of Winchester. "I understand that their claim is they don't have to comply with these environmental and zoning laws because they are a sovereign nation," Page said. "They may not have to follow state environmental law, but they have to follow federal environmental law. Whether it's federal law, state law, or tribal law, those actions violate all three." Requests to speak to a representative of the Muscogee (Creek) Nation were not responded to by press time. The nation has been served a 60-day notice of the town's intent to file a lawsuit in federal court if a solution is not reached before that time.