Message

From: Heller, Zoe@CalRecycle [Zoe.Heller@calrecycle.ca.gov]
Sent: 11/27/2018 12:41:15 AM
To: Ebbert, Laura [Ebbert.Laura@epa.gov]
Subject: RE: question about tribal monitors

Thank you! This is very helpful.

We've had some inconsistencies with tribal monitoring during our debris removal efforts and the Office of Emergency Services is developing SOPs with tribal input. I found some good guidance that CalTrans developed and I'm hoping we can use it as a model – both in process and content. As we're starting the Camp Fire cleanup, we would like to have something more defined in place.

I'm hoping to make it to SF to catch up with Jeff on a few issues. I'll let you know if we're able to get that scheduled. I'd love to grab a coffee or a quick chat if you're available – I assume you're quite the busy bee these days (oh wait, that's nothing new ;))

Zoe

From: Ebbert, Laura <Ebbert.Laura@epa.gov>
Sent: Tuesday, November 20, 2018 5:24 PM
To: Heller, Zoe@CalRecycle <Zoe.Heller@calrecycle.ca.gov>
Subject: Fwd: question about tribal monitors

Further, from Lily

Laura Ebbert
Acting Chief of Staff
U.S. EPA, Region 9
(415) 947-3561

Begin forwarded message:

> **From:** "NEIBAUR, ELENA" <Neibaur.Elena@epa.gov>
> **Date:** November 20, 2018 at 4:18:25 PM PST
> **To:** "Ebbert, Laura" <Ebbert.Laura@epa.gov>
> **Subject: FW: question about tribal monitors**
>
> Hi Laura, as an fyi see Lily's response below regarding the topic as well.
>
> Best,
> Elena Neibaur
> Communication Lead, Navajo AUM Program
> Superfund Division, USEPA
> (415) 972-3275
> https://www.epa.gov/navajo-nation-uranium-cleanup
>
> ---
>
> **From:** tavassoli, lily
> **Sent:** Tuesday, November 20, 2018 4:12 PM
> **To:** Chilingaryan, Sona <Chilingaryan.Sona@epa.gov>; Barton, Dana <Barton.Dana@epa.gov>; Shaffer, Caleb <Shaffer.Caleb@epa.gov>

Cc: Duncan, Will <Duncan.Will@epa.gov>; NEIBAUR, ELENA <Neibaur.Elena@epa.gov>; Hogan, Sean <Hogan.Sean@epa.gov>
Subject: RE: question about tribal monitors

Sona,
We don't have guidance on this, and it's a topic with a long history. This question has actually been making the rounds through the national NHPA workgroup and Superfund Tribal Coordinators as well. There is no specific guidance and EPA has taken different positions on paying tribal monitors- sometimes inconsistently. I usually suggest that for projects on or directly adjacent to tribal lands we can allow for their grant to pay for monitoring. If there's a PRP, they can also pay if it's determined to be necessary. In MOST cases I suggest that we do not pay monitors, but coordinate with a tribe to allow for monitors to be present work with them to provide requirements (if they need to have h&s training, etc.)

I'd be happy to chat more about it if you like and give some examples.

Regards,
Lily

From: Chilingaryan, Sona
Sent: Tuesday, November 20, 2018 10:23 AM
To: Barton, Dana <Barton.Dana@epa.gov>; Shaffer, Caleb <Shaffer.Caleb@epa.gov>
Cc: Duncan, Will <Duncan.Will@epa.gov>; NEIBAUR, ELENA <Neibaur.Elena@epa.gov>; tavassoli, lily <tavassoli.lily@epa.gov>; Hogan, Sean <Hogan.Sean@epa.gov>
Subject: question about tribal monitors

Hi Dana and Caleb!

I was speaking with Will about the question from Laura Ebbert below related to US EPA guidance on tribal monitors at Superfund sites and he mentioned that there may have been tribal monitors at sites in your sections to ensure that work was being done in a culturally appropriate way. Do we have guidance that speaks to this? Lily, would be great to get your thoughts about this as well!

Thanks much,
s.

From: NEIBAUR, ELENA
Sent: Tuesday, November 20, 2018 7:59 AM
To: Chilingaryan, Sona <Chilingaryan.Sona@epa.gov>
Subject: RE: EPA Report for Laytonville Rancheria

Hi Sona,

I was looping back on this (see original email from Laura below) to see if you are able to direct me to resources or who I should ask?

Thanks!
Elena Neibaur
Communication Lead, Navajo AUM Program
Superfund Division, USEPA
(415) 972-3275
https://www.epa.gov/navajo-nation-uranium-cleanup

From: Ebbert, Laura
Sent: Saturday, November 10, 2018 7:11 AM
To: NEIBAUR, ELENA <Neibaur.Elena@epa.gov>
Subject: FW: EPA Report for Laytonville Rancheria

Elena,
Zoe Heller (CalRecycle) asks if there are any guidance documents or other resources that talk about using tribal monitors for EPA ground-disturbing activities. Do you know?

LE

Laura Ebbert
Acting Chief of Staff
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 947-3561

From: Heller, Zoe@CalRecycle <Zoe.Heller@calrecycle.ca.gov>
Sent: Thursday, November 8, 2018 9:41 AM
To: Ebbert, Laura <Ebbert.Laura@epa.gov>
Subject: Re: EPA Report for Laytonville Rancheria

There actually is something... since you offered :)

Does USEPA have any guidance for tribal monitoring at superfund sites - or other types of cleanups?

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From: Ebbert, Laura <Ebbert.Laura@epa.gov>
Sent: Tuesday, November 6, 2018 9:16:40 AM
To: Heller, Zoe@CalRecycle
Subject: RE: EPA Report for Laytonville Rancheria

Thank you! It's not by choice, but I'll make the best of it. Let me know how I can help you while I'm here, on ORA stuff or tribal!

LE

Laura Ebbert
Acting Chief of Staff
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 947-3561

From: Heller, Zoe@CalRecycle <Zoe.Heller@calrecycle.ca.gov>
Sent: Tuesday, November 6, 2018 9:12 AM
To: Ebbert, Laura <Ebbert.Laura@epa.gov>
Subject: RE: EPA Report for Laytonville Rancheria

Thanks for keeping me in the loop.

I also see your title has changed. Congrats!

From: Ebbert, Laura <Ebbert.Laura@epa.gov>
Sent: Tuesday, November 6, 2018 8:59 AM
To: Heller, Zoe@CalRecycle <Zoe.Heller@calrecycle.ca.gov>
Subject: FW: EPA Report for Laytonville Rancheria

FYI

Laura Ebbert
Acting Chief of Staff
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 947-3561

From: Manzanilla, Enrique
Sent: Tuesday, November 6, 2018 8:49 AM
To: Karinen, Sandy@DTSC <Sandy.Karinen@dtsc.ca.gov>
Cc: Blazej, Nova <Blazej.Nova@epa.gov>; Duncan, Will <Duncan.Will@epa.gov>; ana.mascarenas@dtsc.ca.gov
Subject: RE: EPA Report for Laytonville Rancheria

Hi Sandy

Thanks for your thoughtful note about the situation at Laytonville. I do hope some resolution is possible.

I will ask Nova Blazej, my acting supervisor for the Division's site assessment team, to email you the site assessment for the site. It has been shared with your colleagues at DTSC and Cal EPA.

It was great to meet you at the Tribal Conference last week.

Best Regards

Enrique Manzanilla
Director, Superfund Division
US EPA Region IX

From: Karinen, Sandy@DTSC <Sandy.Karinen@dtsc.ca.gov>
Sent: Monday, November 5, 2018 2:38 PM
To: Manzanilla, Enrique <Manzanilla.Enrique@epa.gov>
Subject: EPA Report for Laytonville Rancheria

Hi Enrique,

Thank you so much for taking the time to talk to me about the Laytonville situation last week at RTOC. I really appreciate your thoughtfulness & the offer of forwarding a copy of the EPA assessment report on Laytonville.

I became involved with the Tribal community & the adjacent unincorporated community of Laytonville/Long Valley a couple of years ago as a result of an environmental complaint sent to Arsenio Mataka at CalEPA by Olin Jones, Director of the Office of Native American Affairs at the California Attorney General's Office. Although DTSC was not directly involved in the issues surrounding the closed landfill owned & operated by Mendocino County, I ended up being the one that became the point of contact for CalEPA. I've also visited the area quite a number of times, both officially at the request of the Tribe & on my own time. I've gotten to know many of the community members both on the Rancheria & in the surrounding community. I've done a lot of listening & been made very aware of all the health & environmental issues that they are facing.

I've also done a lot of explaining that the ATSDR Public Health Assessment for the Laytonville Landfill (2005) may have gotten many of the facts surrounding the Landfill wrong, but the critical problem with the report is that there was insufficient health data to be able to draw a definitive conclusion that there was a health problem in the area. I've further explained that because of the inability to document a health problem, there was no basis for further action by the regulatory agencies. After hearing so many stories of deaths & other major health problems in the area (many publicly & others confidentially) as well as problems with the health survey done in conjunction with the ATSDR-funded study, I was able to make them understand that they needed to document the health issues in the area in order to establish that there is indeed a health problem. The community has now banded together & with outside help done their own health survey that definitely shows an above average cancer rate. This new survey was done confidentially which was apparently a key problem with the last "ATSDR" survey which, in turn, resulted in a very limited response & lack of data, etc.

Local activism is now ramping up again following the death of Louis Hoaglin in late August. Louis was the last lifetime resident of Laytonville Rancheria & died of cancer. Although an enrolled member at Round Valley Reservation where he was born, Louis was raised on the Laytonville Rancheria from the age of about 11 months by his grandparents & lived on the Rancheria for the majority of his life. Louis was also Chair of the Wailaki White Lily Clan, recognized as one of the six Round Valley Indian Tribes of the Round Valley Reservation, & was very well known & well liked. His passing had a significant impact in the local community & well beyond. Hundreds attended his memorial services in early September.

I again want to thank you for your valuable time & concern! Receipt of any additional reports or other information about the area would be very much appreciated as I try to help untangle this local mess. This is definitely a situation where I believe there are multiple environmental impacts beyond just the landfill.

Thanks!

Sandy

Sandy Karinen
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