To: Dee.allen@ldftribe.com[Dee.allen@ldftribe.com]; KHanson@ldftribe.com[KHanson@ldftribe.com]
Cc: Greenwater, Anthony[greenwater.anthony@epa.gov]; Manville, Jennifer[manville.jennifer@epa.gov]; Arrazola, Ignacio[arrazola.ignacio@epa.gov]; Victorine, Gary[victorine.gary@epa.gov]; Egan, Robert[egan.robert@epa.gov]; Harris, Michael[harris.michael@epa.gov]
From: Kamke, Sherry
Sent: Fri 2/10/2017 10:31:06 PM
Subject: Haskell Lake/Tower Standard LUST Site Project

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Hello Dee and Kristen,

We are looking forward to meeting you soon to discuss technical issues. I understand that you would like some information before we meet. I am writing to provide a portion of the information that you requested in your February 2, 2017 email. We are in the process of working with Bristol and S2C2 on updated figures from the modeling effort. Right now we are asking Bristol to check in with S2C2 on this and hope to have an answer regarding the timeline next week. We want this information and I know that you are seeking it as well.

- **Most Recent Bristol Report and Deliverables** -There are no recent reports or deliverables from Bristol. We are awaiting a revised technical memo describing possible remedial methods and a revised set of 3D model figures and data. These will be shared with you as soon as they are ready. We will send a remedial options table, prepared by Bristol, summarizing potential source control measures prior to our meeting.
- **Updated Model Files**- Past files have been uploaded on to the www.epaosc.org website, to which all parties have access. The new files and images will be uploaded when ready.
- **EPA Funds Spent to date including $$ per effort or task**-
  - Total spent to-date is $155,783.
  - First task order- $17,237.
  - Second task order- $76,553.
  - Current task order- Total for the third order is $102,500 - $69,500 has been spent with $33,000 remaining. The current task order remaining amount does not include pending charges for the modeling and technical memo preparation.
- **EPA unspent Funds**-
  - $33,500 remains in current task order and $100,000 is available for future task orders for this site using FY16 money. The $33,500 that is on the task order is secure but the $100,000 that is not yet on a task order is vulnerable to being swept for other tribal LUST uses. In order to secure those funds, we need to settle on a plan and obligate the money on a task order.
- **All HQ Funding Requests**- Not certain what information is being asked for here.
  - For Region 5, the total approved spending for FY16 was $478,000 which was to be spent on 5 sites.
  - $202,500 was set aside for the Tower Standard site.
  - For FY17, Region 5 requested $580,000 in LUST cleanup money for site work on as many as 8 Region 5 tribal LUST sites.
  - The Regions convened a meeting on January 25 and 26th to discuss funding requests for tribal LUST sites nationally. The LUST cleanup funding requested for all tribal

LUST sites nationwide totaled $3,206,000, far exceeding the $2M funding levels for the program since FY12.
  - No final cleanup funding decisions have been made and significant uncertainty exists because there is no FY17 budget (EPA and all federal agencies remain on a continuing resolution until April 2017).
  - In the past, funding levels for Tribal LUST cleanup has been around $2 Million for all tribal LUST sites nationwide. It is unknown what FY17 budget will be. The panel evaluated the tribal LUST cleanup requests across all Indian Country nationwide and discussed priorities under different funding scenarios.
- **EPA-Responsible Party Contractor Communication** –
  - We have not had any direct communication with REI since November. At time, REI was seeking to install additional wells through the PECFA program. I highlighted the need to coordinate with the tribe so that access issues could be addressed and the tribe could be present during the work. REI also expressed interest in expediting the work at the site. No other communication has occurred.

Bob and I look forward to meeting with you. As soon as we get the data from contractors we will share it with you. Please let us know if you have any questions.

Thanks,

Sherry

Sherry A. Kamke

Underground Storage Tank Section Chief

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From: Allen, Dee <dee.allen@ldftribe.com>
Sent: Wednesday, February 8, 2017 3:00 PM
To: Greenwater, Anthony
Cc: jmanville@epa.gov; KHanson@ldftribe.com
Subject: RE: Haskell Lake planning/LUST Site Project

Good Afternoon Mr. Greenwater, please see responses to the various items below:

List of Issues Concern:

We agree to working toward a technical consensus and that intent was considered during the development of "technical issues or arrangements whose resolution is critical to deciding on and implementing a remedial action". Instead of several pages of issues needing resolution for source area work, the first ten items were solution based technical implementation of already agreed arrangements and the subject topics meant only in specific reference source area work, thereby short listing our long list of reoccurring problems. Most of the issues on the long list are problems technically implementing existing policy and agreements. It is much easier to move forward with technical implementation of source area work if existing agreements made though consultation, policy, and implementation of enforcement actions are recognized.

The 10 Questions/Feb 23-24 onsite meeting

I appreciate the work that you put into developing the 10 questions leading up to doable work, but uncertain what is meant by "the Tribe and EPA consider these together". Should we be arranging meetings in advance of the visit for the 10 items? Are they meant to be discussed at the meeting? Are they rhetorical?

We are unable to answer many of the questions because the most recent model files, data evaluations and EPA reports have not been provided to the Tribe and we have not been able to work with the materials. This is data that was asked for in November, December, January, and February.

LCD Materials

We request that materials be immediately provided to the Tribe from LCD and with you and Jennifer Manville being cc'd.

EPA-Contractor Correspondence/Dealings

We understand the although EPA has not been in contact with the Tribe, Region 5 EPA LUST has been communicating with the Responsible Party State contractor. Because of the sensitive nature of a pending Responsible Party determination against the State Contractor at this site, We expect EPA include the Tribe in all correspondence with the Responsible Party contractor.

Facilitation of Technical Meetings

The concept of facilitator /moderator was suggested by EPA and yourself in which the Tribe agreed, however; we do not recommend that LCD contract with an outside facilitator for our technical level meetings and recommend that the TIAO be responsible to play that role that supports the Indian Policy.

Thank You and await your response.

Dee Ann Allen

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From: Greenwater, Anthony [mailto:greenwater.anthony@epa.gov]
Sent: Tuesday, February 07, 2017 2:52 PM
To: Allen, Dee; Hanson, Kristen
Cc: Manville, Jennifer
Subject: Haskell Lake planning

Hi Dee and Kristen. Checking in to see what you think about the proposed technical get-together. 23-24 February is still open, if we can come together on the immediate questions and critical items on the agenda.

LCD has put together some answers to your requests for info on Bristol report, model files, and EPA funding. Do you want us to collect and send on the requested info, or do you want LCD to send it to you directly? Jenny and I don't have to be in the middle of all exchanges, unless you prefer it that way.

While we're clarifying roles and responsibilities going forward, please let me know, as soon as you can, whether you want Jenny and me to act as the formal facilitators for future meetings. We're happy to do so, but if you prefer someone else in that role, LCD will need to identify an experienced facilitator and get them under contract. This will take a little time, so sooner is better if we're going that way.

Hope all is well.

Vr,

Anthony Greenwater, Director

Tribal and International Affairs

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