To: Manville, Jennifer[manville.jennifer@epa.gov]
Cc: Dee.allen@ldftribe.com[Dee.allen@ldftribe.com]
From: Hanson, Kristen
Sent: Fri 7/8/2016 6:56:59 PM
Subject: FW: Scheduling well drilling and sampling at Tower Standard
haskell Lake tracking matrix cc11.17.2015.xlsx

Hi Jenny,

The day prior, Bob was given a detailed schedule and report of this upcoming porewater sampling. If Bob needed more information, this was not expressed to us.

In the below email, Bob also reports that he discussed sampling plans with the USGS representative. I don't think he understands the project, project partners, and funding scheme. He then distributed his interpretation of his ill-informed discussions to the state contractor, state project staff, state supervisor, and state policy analyst. He did not talk to the Tribe ahead of this distribution. Subsequent discussions with USGS regarding this issue suggest USGS's understanding of Bob's call are not consistent with Bob's email recap.

The person he spoke to about the Tribe's Data Quality Objectives was not the appropriate person. Although involved in the project, the USGS staff contacted are responsible for one aspect of the project (temperature probe). I offered to set up a call with appropriate project staff and agencies for Bob's Data Quality Objectives questions. I would hope that Bob would be able to offer something to this project in terms of advice, sampling parameters, geochemisty considerations, or anything of value. To date, he has only undermined the Tribally led project.

It is disconcerting that these conversations about the Tribe's project took place outside of the Tribe. In addition, materials were sent to USGS without inclusion of the Tribe. When asked, Bob first denied sending anything. He later provided what he sent.

This is systemic, Bob communicating about the site outside of the Tribe (State, contractor, other agencies). We are concerned from an enforcement perspective (both EPA and the Tribe have sent responsible party notices), that communication continues to the Responsible Party contractor outside of the Tribe. On another note, he also has sent emails to the State complaining the Tribe is pressuring him to complete work. Also, the private well sampling report has been provided to the State, but not yet the Tribe nor the well owners (sampling took

place in 2014 and 2015).

Our funded project requires three wells near the lake and one well in the source area. We were able to secure a more sophisticated USGS project with EPA's commitment to the installation of the wells. Without this support, the Tribe project would only be able to afford a different scope of work completed by Tribal Staff with a different tooling. Our proposal and intent was shared with Bob at consultation in July of last year. The funding announcement was shared with Bob last fall for both the porewater sampling project and the source area funding. Bob understood the funding and agreed to work with it on EPA's side. Wells were included in our Tribally agreed August 2015 Task Order that were expected to be installed in September of 2015. In October 2015, we learned of the State's intent to place wells at depths different than the Tribe/EPA. EPA agreed to supplement the wells with 5 wells instead of 12. We were promised in November that the 5 wells would be installed in "6-8 weeks". In December 2015, the planned wells were decreased to 2, the bare minimum for the USGS/Tribe sampling project (and less than the bare minimum for an initial investigative well network). During January – May, Bob still continues to correspond that wells are forthcoming well ahead of USGS work. At our March Meeting with Bristol, Bob committed to installation and sampling of the 2 wells by May 31. At the May Meeting in Woodruff with EPA/Tribe/State, we were told that the Task Order was being considered by headquarters and that Margaret was calling headquarters on the way home. We later found out that there was no task order to act on, but Bob had put a hold on a draft task order while Bob made more revisions. The revised task order was submitted in late June.

This small task is only one minor aspect of the assessment and cleanup. Similar problems persist in all directions. I do have concerns regarding what is realistically possible from EPA LUST. I am wondering what resources outside of LUST are available to supplement what the LUST program cannot do, or is very difficult for them to implement. Some tasks may be better accomplished by a Tribe. Particularly concerning is the continued project planning without data evaluation. This is something the Tribe is equipped to do with some funding.

I did sketch out a starting point for tracking matrix that was not well received last November (attached). It was intended to be a starting point. I will try a different format for project schedule ahead of our next EPA-Tribe call.

Your feedback to the call was appreciated as well as your help on this project.

I hope you make it out of the airport and home for a good weekend.

Kristen

From: Egan, Robert [mailto:egan.robert@epa.gov]
Sent: Thursday, June 16, 2016 9:34 AM
To: Christopher A Saari; Hanson, Kristen; Fassbender, Judy L - DNR; Kamke, Sherry; Dave Larsen
Subject: Scheduling well drilling and sampling at Tower Standard

All,

I spoke to Andrew Leaf at USGS this morning to get an idea of their field activities once they get to the site during the week of July 18. He told me that he hopes to get the temperature cable installed by mid-week and leave it for about one week to collect data. Near the end of that collection period, he hopes to have the data necessary to decide where he wants to collect pore water samples. So this would be around July 27 if all goes well, and he would collect samples as soon as he can.

I asked whether it would be problematic if we collected groundwater samples a week or two after he collects his pore waters. He stated that he cannot think of any scientific reason why this would cause a problem for his assessment. He said that he is most interested in getting water levels on the same day as he collects pore waters, but that groundwater samples could be collected later if the new wells are not yet ready.

I wanted to let you all know this as we go through our effort to get the wells installed as soon as possible.

Please let me know if you have any questions.

Regards,

Bob

Bob Egan

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