UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUN 12 2012

OFFICE OF THE
REGIONAL ADMINISTRATOR

The Honorable Michael O. Finley
Chairman
Colville Business Council
P.O. Box 150
Nespelum, Washington 99155

Dear Chairman Finley:

Thank you for your letter of May 2, 2012, I am responding on behalf of Administrator Lisa P. Jackson. The U.S. Environmental Protection is grateful for the leadership, financial commitment and tireless efforts of the Confederated Tribes of the Colville Reservation to ensure the health of the Upper Columbia River. The EPA also appreciates the support and involvement of the Tribes in the ongoing site investigation. The Tribes brought contamination in the Upper Columbia River to the attention of the EPA. We know the health of the river will be a priority for the Tribes for generations to come, long after the remedial investigation and cleanup process is over.

I want to assure you that the EPA is working hard to make certain that a thorough investigation of the Upper Columbia River is completed. The Tribes' input is critical to that effort. I understand that last week, staff from the EPA, the Tribes and our other project partners held a very productive meeting in Spokane. Building on these discussions, we are looking forward to collecting the first round of sediment toxicity data in the future.

The EPA has a clear and interest in the outcome of the Tribes' litigation against Teck Cominco, and we worked with the U.S. Department of Justice to file an Amicus Brief in 2011. We are also in the process of evaluating responses from Teck American to the EPA's information requests regarding their unauthorized sampling.

Members of my staff have discussed your request for consultation with the EPA's Environmental Justice representative. Because the site investigation is several years from completion, it may be too early to conduct a disproportionate adverse impacts assessment. As a first step, I suggest that an Environmental Justice expert from the Region's Ecosystems and Community Health unit meet with officials from the Tribes to discuss how and when Environmental Justice issues can best be incorporated and addressed in the site investigation and cleanup. Our initial discussion could take the form of a formal briefing to the Colville Business Council or a meeting with staff from the Tribes' Office of Environmental Trust. Please let Dan Opalski, Director of our Office of Environmental Cleanup, know how you would like to proceed on this issue, and we will set up the appropriate meeting.

In the meantime, please accept my thanks for your continued involvement, support and tireless efforts on behalf of the people and environment of the Upper Columbia River.

Sincerely,

Dennis J. McLerran
Regional Administrator