

EPA REGION 8'S RESPONSE TO PETITION FOR REVIEW

ATTACHMENT OO

EPA letter dated June 23, 2020, replying to Oglala Sioux Tribe President Bear Runner's June 17, 2020 letter stating EPA cannot travel due to COVID-19 restrictions and proposing a call

Administrative Record Document No. 874

From: [Robinson, Valois](#)
To: [Julian Bear Runner](#)
Cc: ["Jennifer Spotted Bear"](#); ["Mike Catches Enemy"](#); [OSTNR Water Admin](#)
Subject: EPA Letter Replying to President Bear Runner's June 17, 2020 Letter
Date: Tuesday, June 23, 2020 3:59:00 PM
Attachments: [EPA ReplytoPresidentBearRunner_06-23-2020.pdf](#)
[OST-EPA June 2020 Proposed Agenda.pdf](#)

Please find attached EPA's letter replying to President Bear Runner's June 17, 2020 letter. Just to clarify, the proposed agenda is the same agenda we received from the Tribe with no changes included as an enclosure to the attached letter.

Thank you!

Valois

Valois Robinson
EPA Region 8
Underground Injection Control Program
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-6276
robinson.valois@epa.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

June 23, 2020

Ref: 8WP-SDU

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Honorable Julian Bear Runner, President
Oglala Sioux Tribe
president.bearrunner@oglala.org

Re: U.S. Environmental Protection Agency Underground Injection Control Program
Tribal Consultation on EPA's Proposed Actions for the Dewey-Burdock Uranium Recovery Site

Dear President Bear Runner:

Thank you for your letter dated June 17, 2020, informing EPA about the Oglala Sioux Tribe's plan for the tribal consultation meeting on June 24, 2020, at the Tribe's Pine Ridge Reservation. I regret that EPA will be unable to travel to Pine Ridge for our June 24 meeting due to Region 8's COVID-19 travel restrictions that limit travel to emergencies and field work to protect human health and the environment that are currently in place. Once the region moves to Phase 2 of reopening, we will be able to expand travel to include these types of meetings. In the meantime, Region 8 can conduct consultations via video conference or phone calls, consistent with the EPA's tribal consultation policy and offer that option for your consideration. We would also welcome the opportunity to work with the Tribe to develop a consultation plan.

After reviewing the proposed draft agenda that we received on Friday, June 19, 2020, enclosed for your convenience, we would like to have a conference call this week to discuss rescheduling this consultation and to discuss opportunities to share information and schedule virtual meetings to prepare for consultation. Valois Robinson of my staff is working with Secretary Jennifer Spotted Bear to schedule this call, including a possible video conference meeting on June 24. We had a conference call scheduled with members of your staff on Wednesday, June 17, 2020, but were informed of an urgent tribal matter and agreed with the Tribe's request to postpone the call.

Please contact me by phone at (303) 312-6392 or by email at oconnor.darcy@epa.gov if you would like to have additional discussion about an upcoming video conference call and rescheduling the consultation meeting.

Sincerely,

DARCY
O'CONNOR

Darcy O'Connor, Director
Water Division

Digitally signed by DARCY
O'CONNOR
Date: 2020.06.23 14:26:16
-06'00'

Enclosure

cc: Ms. Jennifer Spotted Bear
Mr. Michael Catches Enemy
Mr. Reno Red Cloud

Proposed Agenda - June 24, 2020

9:00 Oglala Sioux Tribal Council (Closed Session? - spiritual/ceremonial)

10:00 Welcome Statement - OST Council and Spiritual Leaders

10:15 Introductions - all attendees

10:45 Break

11:00 EPA Presentation - Describe Policies and Project and Process

- Describe the Project
- Describe EPA Permitting Authority
- EPA approach to Cultural Resources and NHPA
- EPA approach to Water Resource Protections
- EPA approach to Environmental Justice Issues
- EPA's Functional Equivalence Program
- Covid-19 related precautions

12:00 Lunch

1:00 OST Council and Staff - Policies and Concerns

- Cultural resource identification, assessment, and protections
 - surveys
 - traditional ecological knowledge
- Water Resources
- Mining
- Cultural Resources and NHPA
- Water Resources and Mining issues
- Treaty Water Rights and Laws
- Environmental Justice Issues
- Public Involvement
- Involvement of spiritual leaders and non-governmental leaders

2:45 Break

3:00 Public Comments

4:00 Discussion between OST and EPA Staff

4:30 Technical Meeting Recommendations
Participants/Expertise Required
Time and Place

Subjects for Technical Discussion
Next Steps

5:00 Adjourn