

EPA

Moderator: Carol Ann Siciliano
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2:00 p.m. ET

Carol Ann Siciliano: This is Carol Ann Siciliano of EPA's Office of General Counsel, and I am delighted to welcome you to this listening session for Environmental Justice Permitting with a focus on tribal governments, tribal communities and businesses that are owned by tribes. I really appreciate everyone who has dialed in to participate or listen in on this listening session.

The goal of these listening sessions – and this is one of six – is to help EPA as we develop permitting strategies for environmental justice, to help EPA to gather information from folks all over the country who are affected by environmental justice and permitting in all of its dimensions (that) we've already reached out to the states and local governments who might be regulators. We're reaching out to the business community who we hope will be engaged in conversation with environmental justice communities as they face their own permits. We've talked to environmental protection groups.

And then, today, we have the very good fortune of talking to tribal leaders, tribal business owners and tribal members as we talk about environmental justice and permitting.

And this is a very, very important group because in one constituency, you have multiple interests who are affected by environmental justice. The tribal governments join us as regulators when they have treatment as a state status, they could be developing water quality standards to protect environmental justice. They could be issuing a clean water act or clean air act permits with an interest in advancing environmental justice.

We also have within this group the members – the tribal members, themselves, who, in some cases, could be the beneficiaries of an active environmental justice program by the permit writing authorities.

And then we also have the tribally owned businesses who would be receiving permits to control the missions of air pollutants or the discharge of water pollutants, and who we hope will become leaders with us in working on ways of integrating environmental justice into the permits that they, themselves, must comply with.

So welcome, everyone. We have – we will be welcoming speakers from each of those constituencies. And, of course, we encourage everyone else who is listening from different groups to listen and learn as we all engage in what I hope will be a productive dialogue.

To the speakers, I would be delighted if you would think about experiences you've had in environmental justice and permitting in the context of permits that you've seen that have been successfully integrating environmental justice, ones that you think the EPA or the state could have done a better job; if you have ideas about how – what tools EPA could be generating to facilitate the integration of environmental justice into permitting. That's the kind of thing we would love to hear about.

So we want to hear your war stories, your successes, areas where people could have done better, your ideas. This is a great opportunity for all of EPA to be learning from you. And we deeply appreciate your participation on this call.

I'm now going to turn the microphone over to (David Basson) who is a facilitator here at EPA, who will help us to keep this listening session on the right track.

Thank you, David.

(David Basson): Thank you, Carol Ann.

As was noted, I will be serving as facilitator for this listening session and my role is relatively simple. It's to keep the meeting focused and going smoothly to ensure that the maximum number of people who want to participate will have the opportunity to.

Just a few details toward that goal – we have until about three o'clock for this listening session today. And as the case with all listening session, everyone is welcome to join the call as a listener. However, this specific call is designed specifically to allow members of tribal governments, tribal communities and tribally-owned businesses to share their views. There are other listening sessions that are being held throughout the – last week and this week to provide others the opportunity to speak, including those in state and local government, environmental groups, environmental justice communities and other community groups. There's one for Spanish language. And also, one has been held for general business and industry.

To help us ensure that we have a successful listening session today, I'd like your help in a few concepts for the call. First, only members or representatives of tribal governments, tribal communities and tribal-owned businesses are allowed to speak during this listening session. We'll talk a few minutes about how that is possible.

If we would please ask that only one member of any particular community organization speak on behalf of that organization. And speakers please limit your remarks to five minutes or less so that we can maximize the number of individuals that would get a chance to speak this hour.

We're using an operator-assisted conference system for this meeting. The operator will ensure that each speaker has an uninterrupted opportunity to provide their views by allowing only one person to be heard at any one time.

Operator, could you please let us know how someone can request a chance to speak?

Operator: To make a comment, please press star one on your telephone keypad.

(David Basson): Thank you. The operator then will have you in a queue of speakers and will allow you to speak in the order in which you have queued in by pressing star one.

We hope that there's enough time for everyone who wants to speak to do so on this call. However, if you are not able to or would prefer not to speak during the listening session, or you do not have enough time to deliver all your thoughts within the five minute timeframe, you can submit your comments in writing after the listening session by sending an e-mail to the following address: ejpermitting@epa.gov. One more time: ejpermitting@epa.gov.

And because the point of this session is for EPA to listen and obtain your suggestions, feedback and experiences, EPA is not going to spend time responding in detail to specific questions or comments during the call.

Just one final note – EPA is recording this session to ensure that all of your thoughts are captured. EPA will post the transcript of this session as soon as possible at the following Web address. It is www.epa.gov/air/caaac/meetings.html. That's a long one. Let me say it one more time: www.epa.gov/air/caac/meetings.html.

And with that – and please keep in mind the thoughts of Carol Ann as to how – some suggestions on thoughts and questions possibly to focus on. However, everything is open. Please, the widest range of thoughts and suggestions would be welcome.

We look forward to your thoughts. And, operator, would you please open the line for the first speaker?

Just a reminder, for folks who are interested in speaking, please push star one on your phone and the operator will be able to queue you up.

Operator: And we have a comment from the line of Ken Norton with National Tribal of Water Council.

Ken Norton: Yes, this is Ken Norton and I had the opportunity to listen in on the state and local governments' listening session. And, what struck me during that listening session was the outreach to rule and minority communities, what different state permitting agencies have engaged in.

But, however, through our experience with the National Water Council and feedback from tribal communities and Alaskan native villages, there is a void in much case in Indian country about how states and tribal governments interact. A lot of the outreach endeavors that are presented by our forthwith with states do not contact Native American communities due to the federal trust responsibility. And I can only use my tribe – the Hoopa Valley Tribe – as an example. It's located in northern California.

We have water quality standards for our reservation waters. But, they communication level with our state counterparts in regards to NPDS issuance to the receiving waters onto the reservation is sometimes lacking – most times, lacking. And, the outreach in air quality is sometimes not there.

So, in developing the implementation plan that is coming out through EPA, there needs to be a definite mechanism of cooperation and coordination between state outreach activities and tribal governments.

Thank you. That's my comment.

Carol Ann Siciliano: Ken, thank you very much for that. That's a very helpful comment.

And, I wonder if you have any suggestions for us, for the states about mechanisms that would be effective that the tribes that states could use to reach the tribal members, especially as you gave some examples about when a permit issued in state jurisdiction results in (effluence) that flows down to Indian country.

Ken Norton: Yes.

Carol Ann Siciliano: DO you have some ideas for us?

Ken Norton: Yes. One activity that we definitely – the water – the National Tribal Water Council has been involved with, is dealing with permitting in Alaska under the Pebble Beach mining activities that the NPDS permitting from the state of Alaska to the activity of the mining is sometimes, as I mentioned before, lacking with the contact of Alaskan native villages.

What has happened is that EPA has come and been a – I guess they negotiated or a go between where – took on the mechanisms for assuring that the appropriate documents – (NEPA) documents – permitting background on NPDS is supplied to the tribes within are the – excuse me – Alaskan native villages within that area. So there is a direct outreach of that – the federal government, the EPA is doing directly with the Alaskan native village communities.

Carol Ann Siciliano: So, and what you'd like to see, Ken, is that the states, themselves, undertake that responsibility rather than entirely rely on EPA as the intermediary.

Ken Norton: Yes, a more active role between the states.

And, Carol Ann, sometimes, the state tribal interaction is difficult because of jurisdictional and previous interaction. So there is an (error) of miscommunication. And trust is a big issue because there's been a history of – how should I say – miscommunication would be, I guess, the word that I want to use.

But, so if there is a strong outreach to – from state – as the state governments to tribal communities – I – first, I would recommend that the state outreach to the tribal government. And if there is some areas that need assistance that may be look at other federal agencies within EP – I mean federal programs within EPA that may provide that go between assistance.

Carol Ann Siciliano: Ken, thank you very much. I appreciated your ideas and your thoughts.
That was very helpful.

Ken Norton: Thank you.

Operator: Your next comment comes from the line of Brian Bennon with Intertribal
Council of Arizona.

Brian Bennon: Hello, am I on?

Carol Ann Siciliano: Yes.

Brian Bennon: Sorry.

Carol Ann Siciliano: Yes, thank you, Brian.

Brian Bennon: The Intertribal Council of Arizona and the tribes in Arizona have fully been developing a relationship with the state of Arizona when it comes to NPDS permitting or a (ZPS) permits – one of the things that we found is that proper notification for tribes that might be affected, who are downstream from a proposed discharge, was not really understood by the state permitting agency in terms of not knowing which tribes might be affected.

And so, one of the things we've been proposing is some type of a notification listing of which tribes are where. And it includes maps. And ultimately, we think GIS would be a great way to do it if a – the coordinates of a proposed discharge could automatically notify the permit – the permitting agency of which tribes could potentially be affected downstream. And then identify the points of contacts.

The points of contacts in the past for the state of Arizona have not necessarily been correct. They had a single listing for the state's historic preservation officer and for a particular series of tribes. And those officers for the tribes did not know who to forward the notification on to for the environmental

program. And so, just working – we've been working with the state of Arizona to update a series of maps and the points of contacts for the tribes in Arizona.

Carol Ann Siciliano: Thank you, Brian. And, I want to make sure I got the details on this idea because it's a very interesting one.

What you said that you all are doing is working with – to provide the state with a list of what tribes are located where, even by coordinate so that when a permit is being considered – water, air, what have you – the state knows who the potentially affected tribes are.

And then, with that, you – is that you're providing a list of the points of contact for each of those tribes so that the state knows who they can reach out to as a – as an individual? And/or does it also have who the points of contact are within the state government, so that the tribes know who they can reach out to?

Brian Bennon: The scope of what I was describing is primarily just water. The idea of it is that we could – we have been identifying the different environmental points of contacts for the tribal environmental programs and identifying that to the states. And, you know, it gets into a very complicated matter of – well, who – how do you figure out who could potentially be affected downstream. And so, the idea was that maybe just an arbitrary number of maybe, you know, three miles down – if a tribe is located three miles downstream – of a – of a surface water point, you know, discharge. At least that's a starting point. Something more robust, maybe, in GIS, could be incorporated later down the road, you know.

Different types of permits are different. Obviously, you know, there's ground water concerns and whatnot. And, the volume of the discharge and how likely it would potentially reach a tribe downstream. But, at least it's a starting point that we've started with talking with the state of Arizona of who the proper contacts are for the environmental programs with the tribes.

Carol Ann Siciliano: Well, Brian – thank you, Brian.

I have another follow-up question for you which is, when – has the state starting to use this list for the purpose of notifying affected tribes of the pending permits? And if so, what – how – what kind of notice have they provided? And how is that working? What's been working and what do you think they could add to their outreach?

Brian Bennon: You know, it had been working up until fairly recently. But there has been some turnover with the states. And, we haven't heard, recently – at least I'm not aware of any dialogue that's been occurring. Usually, it's the tribes that have to be diligent and constantly on watch for the public notices in (descript) papers and whatnot.

But, we had a relationship that – being developing. And then, you know, it's just trying to reestablish that relationship as, you know, with the staff revolving at the state level.

Carol Ann Siciliano: Well, I appreciate your saying that. And, I'm sure it will revolve back into a good – a good system of communication.

And, I'm curious, too, about means of notifying. You know, you talked about official notices. You talked about how the tribes have to be constantly vigilant or on the watch. What would be – you know – one of the things that EPA is trying to do – and I throw this question open to everyone can if you want to weigh in or other tribal listeners – what are different mechanisms for EPA or for states to reach out to tribal government and members and businesses to let them know that there is a matter that is of potential interest?

You know, we've talked – what we've heard on some of these other calls – people have talked about posting notices in stores, putting things on the radio, in addition to the routine newspaper communications. There are, you know, potentially, I'm curious to know about access to the internet and use of the (listeners) and things like that.

So Brian or Ken, if you'd like to respond – both of you – and anyone else – what are some of the – of the tools that EPA could be pointing people to – to facilitate the communication once the mapping has taken place?

Brian Bennon: I think internet and Web sites is great. The state of Arizona has been working on this. But again, it's a very difficult exercise for tribes to know exactly where to keep checking. If a list was in hand with the state permitting agency as to who to follow up with notices, that would help as well. E-mail list serves that type of thing.

Carol Ann Siciliano: Thank you, Brian.

Would anyone else like to address this question? Or, another subject?

Operator: Again, to make a comment, please press star one on your telephone keypad.

You have a comment from the line of Ken Norton with the National Tribal of Water Council.

Ken Norton: Yes, Carol Ann. I guess the best way to outreach to tribal governments – and all the other suggestions from the previous caller are very well taken and should be, you know, should be considered strongly.

But, probably the primary approach would be direct notification through a letter to the tribal government leader of the chairman or the – or the governor – or whatever the standing leader. And that follows the policy, the consultation policy of EPA. And I know that the – through the federal permitting – that is working somewhat well.

But, there – that nexus that coordinates the state permits into that consultation process is hit and miss. Like you have the state of Arizona that has a great working relationship with tribal governments or a good working relationship with tribal governments.

On the other spectrum, you have the state of Alaska that does not recognize native – Alaskan native village communities. And that outreach from the state to the villages is very strained. And so that's where, as I mentioned before, mediators from EPA headquarters had come in and especially with the (nifties) permitting in Bristol Bay have informed tribes – I mean the Alaskan native village communities – about potential actions and where to get the documentation of what's occurring on remediation plans.

So, again, the direct consultation with tribal leaders is probably the most, best way and most formal way of outreach to tribal communities.

Carol Ann Siciliano: OK, Ken. Thank you very much. That's helpful.

Operator: Your next comment comes from the line of Jolene Catron with Wind River Alliance.

Jolene Catron: Good afternoon. My name is Jolene Catron and I'm Executive Director of Wind River Alliance. And, I was kind of confused about the process of this call, whether we needed to be participating in the – in the community based groups or in the tribal. We're not a tribal organization, per se. But we do exist on a reservation in Wyoming. And so, I wanted to just add my two cents as it may be, here.

As far – I would like to say that I agree with the previous commenter's and would also like to add that I think that in the environmental databases, there's no identifier that identifies a facility that might have tribal interests or tribal impacts.

And so, I think that's one of the things that would be – again, it comes back to the complexities of, you know, how would boundaries and, you know, how far downstream? What is the pollutant? Et cetera. Et cetera.

But, if there were some sort of identifier in the actual (up) database, itself, and the environmental database that shows that it does have tribal interest, I think

that would be a good first step. There's a lot involved in that and I totally understand that.

The other thing that I wanted to talk about, you know you talked about tribal outreach. A lot of times, information goes to the tribal government or to the tribal environmental agency. That doesn't necessarily guarantee that it makes it to the tribal communities. And, that's been one of my biggest issues. And I – and I should also say that I participate on the National Environmental Justice Advisory Council representing environmental – I'm sorry – representing indigenous communities and grassroots organizations. And, that's been one of the biggest issues that I've heard so far in the work that I've performed on the NEJAC. And when I do outreach to community members is that a lot of times, what happens in tribal environmental offices doesn't ever make it down to the tribal community level.

I do have experience working with permitting and looking at permitting renewals on the reservation and working with EPA region (aid) on this. And, my first experience was really scary.

Carol Ann, you mentioned that you wanted to hear about war stories and I have plenty to share. It was a UIC permit for reinjection of coal bed methane produced water into a class two well. And, a lot of the issues that I found working in the tribal community is that nobody at the community level doesn't speak that language, doesn't speak that permitting language.

And so, if you're looking for public participation, a lot of times, community members don't believe that they can participate in that process. And if they do, it's a whole different language from what they're used to speaking.

And so, what I found in the documentation that was shared with me on that permit – all of the – all of the supporting documentation for renewal of that permit or for the creation of that permit – is that it was written in a shorthand, in a (driller) shorthand, especially when it came to integrity of the well and understanding the concrete that's being used and the different kinds of drilling fluids and things like that – is totally written in a different language in a

driller's shorthand. And totally – I had no idea what I was reading. The documentation, itself, was really difficult to read. The process of getting that documentation was really difficult. I was originally told that I had to go through a (foya) process to even request the permitting documentation.

And, then, knowing that community members, themselves, weren't going to be the ones submitting comments on this permit application, that I was the only one going to do that. I had to understand fully what the permit was about and then take it to the community and ask individual community members how they felt about that.

Now, being on the Wind River Reservation and working on – in the issues that I'm working on – coal bed methane, the production of coal bed methane is a huge project that's looming on the reservation. And the community members have not been involved in this process at all.

And so, I feel like I'm trying to play catch up on an issue that is well over 40 years-old.

And so, how do you build capacity in the community for them to understand or to feel like they have a better opportunity in the process, to get youth involved, to have feedback from the elders and to – and to give credence to the wisdom that the elders provide as scientific – as sound science. That doesn't ever happen, I think (inaudible).

And so, the other, you know, part of that war story is, the only outreach that was provided about that permit was – it was published in the legal section of the local newspaper. And, at the time, the tribes were boycotting the newspaper. And so, it wasn't being sold on the reservation.

So I was really lucky in that I even saw the advertisement to begin with and started participating in this process.

The other issue that I have is that once this permit is approved and moved through, even though there hasn't been any kind of outreach – pre-application

outreach to the communities – although there may have been pre-application outreach to the tribal agency and the tribal government – but there hadn't been any done to the communities. Then, once the permit is approved, how do the tribes – tribal communities know what is going on with that permit? How can they follow up on that? How can they get reports back from the entity – the permitted entity that they're doing their job? That they're not spilling hydraulic fracturing fluids all over the ground? That they're not, you know – how does that happen? It doesn't.

And that's – and that's a huge issue, especially because, in the Wind River Reservation, for example, the tribal communities, themselves, are the governing entity. They govern by general council. And they appoint their business council – they elect their business council. But they oversee their business council. And so, the level of governance is – that level of government – of governance is totally overlooked. So –

Female: (Inaudible).

Jolene Catron: Am I on a minute?

Carol Ann Siciliano: Well, you are. But you also have a lot of rich things that I wanted to follow up on and invite other people to respond to. Can I – can I jump in here?

Jolene Catron: Sure.

Carol Ann Siciliano: Is that OK, Jolene? Thank you for calling in.

Jolene Catron: Sure.

Carol Ann Siciliano: You said a lot of things here. And I actually want to start from the back. And I would very much welcome other people to weigh in on this. Because one of the things we've talked about in permits, even after the permit is an issue, irrespective of the level of outreach that led to the permit – the next question is how does the community – whether tribal members or any other

kind of community – how does the community know what’s actually happening under that permit?

And under the – and I know the Clean Water Act pretty well – that in ordinary permits, there are, indeed, monitoring requirements. There are recordkeeping requirements. There are reporting requirements.

And one of the things that EPA is thinking about in this permitting initiative is how to use those authorities effectively in permits so that the community knows what’s happening. And, what I’d be curious to know from you, Jolene, or maybe, you know, other people who want to weigh in is, what would be helpful in the nature of reports? You know, what kind of monitoring information would be – you be interested in seeing? How would we – EPA – or at the facility, to communicate that information to you? To whom? You know, how frequently? In what form?

Those kind of nuts and bolts can – exchange of information is something that we’re looking into. And you, Jolene, and Ken and Brian, as customers, that information might have insights for us into what would be a useful tool in that regard. So I welcome anyone’s reaction and response to that.

Jolene Catron: Am I still on mute?

Carol Ann Siciliano: Jolene, you can go ahead and answer. And then we have another person also wants to speak, as well.

Jolene Catron: OK. I’ll let the other person speak.

Operator: Your next comment comes from the line of Brian Bennon with Intertribal Council of Arizona.

Brian Bennon: Hello, there’s been a few lessons learned in Arizona. One of the situations that involved a specific tribe or a specific series of tribes and an upstream discharger. It included an impact – potential impact to the tribes to the extent that their permitting – excuse me – the permitting agency wrote into the

permit that if certain thresholds were reached in the monitoring cycle that the downstream potentially affected tribe would be notified. And the tribes that have that potential to be impacted are constantly, through the public information process, also trying to get the monthly reports, the discharge monitoring reports to – just to verify.

But if tribes potentially are shown to be potentially impacted, you know that type of information should be more easily accessible.

And so, I guess it gets back to the relationship with the state permitting agencies and the tribes in developing the developing the level of trust so that the tribes are part of the whole permitting process that's potentially being impacted.

Carol Ann Siciliano: Well thank you, Brian, for that. And I appreciate your talking about having the data become more easily accessible to the communities and, you know, you also identify that where trust is fostered, I guess, the communication is a little bit easier.

Jolene, did you want to also weigh in on this question about the mechanics of helping the communities understand what information – what the data about the discharges or emissions?

Jolene Catron: Can you hear me all right?

Carol Ann Siciliano: Yes, we have you.

Jolene Catron: All right. The – yes – you know, I also – my organization is a Care Level One Grantee. And so, you know, what I found working on this CARE, which is a Community Action for Renewed Environment grant, and it's an environmental justice grant – is that, you know, we're always kind of the square peg in the round hold kind of situation. And, in the CARE process.

But really, what a lot of our activities came down to is that we need to be building capacity or opportunities for those who are interested in participating

in this process, to understand what the report is or what the reporting requirements are, and how to digest the information that's given, because a lot of times, it's, again, written in a whole different language.

And so, the capacity in the community is a huge issue, number one.

Number two, you know, if the community wants to be involved at that level of deciphering that information, then there needs to be some kind of mechanism that allows them the opportunity to understand what they're being – what's being reported to them and how that affects them. Not just today, but in the future and in future generations. And I think a lot of the environmental data that we're given is very focused on what we're doing right now. And the impact right now instead of reaching out to future generations.

And I know there's a difficulty in that. But, a lot of times, you know, when you work with elders and in communities, they want to know how that's going to affect their grandchildren and their great-grandchildren.

And so, a lot of times, that story isn't told at the community level.

So how do you – you know – how – you know – how do you make that information available? I really don't know. I mean, unless you have- I think it comes down, again, to that EPA consultation document, you know, there really needs to be more robust funding and – what's the word I'm looking for – funding and support from EPA to tribes to be building capacity in their communities. I mean, a lot of the funding up to this point – and I only speak for lower 48 because I really – I can't tell Alaska's story at all – but the funding has been towards building the environmental program at the tribal level – at the tribal government level, at the tribal agency level. And it doesn't necessarily trickle down to the community level.

And so, you know, the outreach has to come from the tribes. And it has to – it has to be a mechanism in gap funding and 106 funding. There has to be a mechanism in there for outreach, to tribal communities to build capacity to

understand these kinds of reports and how it affects them and their future generations.

Carol Ann Siciliano: OK, Jolene. Thank you very much. I appreciate your talking about the CARE grants and especially the need to build a capacity, because that's a common theme that we're hearing that, you know, the communities are interested. But it's very, very arcane language that's in the permits, in the reports, in the data. And, we want to try to figure out what some tools might be to bridge that language gap. And, you know, and build capacity to understand so that the community can – it can under-appreciate what's truly happening as opposed to what they imagine happening.

Jolene Catron: Right.

Carol Ann Siciliano: Which is another issue that we've been talking about. And that's a very important point.

Brian, did you want to weigh in here?

Brian Bennon: Just wanted to champion that comment. We find that, as well, that the – even though there might be some funding for, you know, the environmental – tribal environmental staff to go and seek out the technical know-how, the how to understand these permits and whatnot.

There's a huge gap in understanding how to, then, communicate these complex matters to the tribal communities that they report back to. And even the tribal councils. And so the technical assistants and financial assistants, to deal with that problem, also, is definitely needed.

Carol Ann Siciliano: All right, Brian. Thank you very much for naming that. Appreciate it.

Operator: To make a comment, please press star one on your telephone keypad.

And you have a comment from the line of Ken Norton, The National Tribal Water Council.

Ken Norton: Yes, I think both Jolene and Brian are right on with their comments. This kind of a observation as I mention earlier as my first comment – that the opportunity to listen in to state and the local government outreach. I was impressed with callers from Illinois and Connecticut that had a state, you know, the state representatives that are issuing permits that they basically had a – implementation plans that outreach to rural and minority communities when permits are being issued that may impact. I know that one commenter talked about looking at the landfills and how those were impacting rural communities more than they did in other areas.

I guess my question would be – is – to like to see more states have implementation plans that have robust outreach to tribes. And, maybe one step would be through contacting tribal governments, asking for public hearings, the town hall to – meetings to inform the community. I think Jolene made a very pertinent, important comment about, sometimes; the information doesn't trickle down from the tribal government to the community. And that may be to not having the staffing to go out and do outreach within the tribal communities.

We have a very level of capacity in our tribal governments across the nation from the – about 4 tribes that have water quality standards and air quality permitting capabilities to tribes that barely even have abilities to utilize the internet.

So there's a – quite a diverse array of getting information to our Indian communities. But I think one step would be having that interaction again between the state and local and tribal governments in regards t outreach. And if there could be that process of interaction between the state and tribal government first, then having these community outreach hearings and public notices would be very beneficial.

That's my comment.

Carol Ann Siciliano: Well, good, Ken. Thank you very much. And, you know, thank you for talking about the many steps in this process and including the relationship between the tribal governments and the state governments is one step in that. And, you know, and affirming that it's also very important to be reaching out to the members, themselves. And that relationship between the states and the tribes can facilitate that. That's one of the many tools of facilitating that outreach to the communities.

Ken Norton: Yes, just a real brief comment. Our tribe posts our 401 certification for tribal projects on a Web site. We also post air quality data and water quality data. There's many other tribes with water quality standards that have the capacity to do that.

As I mentioned before and has Jolene verified that many tribes are at different levels of capacity in their environmental programs.

Carol Ann Siciliano: Yes, you're right. Thank you, Ken.

Ken Norton: Yes.

(David Basson): This is (David Basson), the facilitator. We're coming up toward the end of the hour. So I'd like to hold the line open for another few minutes to see if there's anyone else that would like to make comments.

Two items, for your information. As we noted in the opening, if you would like to submit written comments instead of, or in addition to your comments on the listening session today, you can submit any comments in writing after this listening session by sending an e-mail to ejpermitting@epa.gov. Again, ejpermitting@epa.gov.

Also, there is a second – for your information – a separate listening session for tribal communities, governments and tribally-owned businesses which is being established for June 28. There will be additional information on the details of that forthcoming shortly.

So if you know anyone in the tribal communities that have not had a chance or cannot join today, please make sure that they are aware of that. And the information will be forthcoming shortly.

Operator, if we could leave the line open for about three more minutes, see if there is others. And please, anyone who has not had a chance to speak, please feel free. We'd love to hear from you. Or if there is additional comments from those that have spoken, we have a few more moments.

Operator: Again, to make a comment, please press star one on your telephone keypad.

And we have a comment from the line of Jolene Catron with Wind River Alliance.

Jolene Catron: You know, whenever anybody asks for my opinion, I'm always willing to give it.

I just wanted to thank you for the opportunity to provide comments. It would be helpful to know who's on the call. I didn't want to take up too much time. But, it's difficult. I know these teleconferences are very limiting. But, it's helpful to also know who's on the call and, you know, be able to pay respects to whomever else is participating in this process and, you know, if we knew ahead of time. Or – well, I guess there is no way to know ahead of time. But, if, you know, there was just a quick round of introductions of whoever was on the call would have been very helpful.

Carol Ann Siciliano: Well, Jolene, thank you very much for suggesting that. And on the Web site that David had given earlier, we will be posting the lists of all the people who have participated.

And, we have a – we had a – I can tell you, because we have access to who's on the line and we do have folks from the industry listening in. We have a couple of states listening in. We have a bunch of EPA people listening and. And some tribal interests – tribal governments or community members listening in. And, you know, that's an important thing for us because we do

want, not only to hear what the speaker – for us – to hear what the speakers are saying, but for other people interested in environmental justice, to hear what other people are saying. Because we're trying to build community here, and identifying common interests. And, we have had a great cross-section in each of the listening sessions in terms of who has dialed in just to listen to what the focus group has been saying.

So, by all means, go into that Web site to find that – not only the transcript of this session, but also the list of all the folks who have dialed in to listen. And I very much encourage people to reach out to each other, to continue this dialogue and, (across) stakeholder groups to start a dialogue on environmental justice because we are very much trying to facilitate many, many, many solutions to the problems that we are all interested in here on environmental justice and permitting.

And so, that Web site was www.epa.gov/air/caaac/meetings/html. And so you'll find that list.

So I think this is where I'll wrap up with my great thanks for –to Ken, to Brian and Jolene, in particular, for sharing with all of us your experiences and your recommendations and your commitment, you know, your expression of – your energy and your commitment to trying to help EPA and the states and the communities and the regulated community to figure out how effectively to integrate environmental justice and to permitting, how to promote better outreach among all people involved in this. And I'm hoping that you'll continue to be involved in the EPA initiative here on permitting, and then follow up.

And actually it looks like before we sign off, we have one new speaker who would like to participate.

(Jessica), please step up. Thank you.

(Jessica): (Inaudible) And, I really do appreciate everything that everyone has shared in today's listening session. And I've been taking notes. So thank you for

sharing those comments. And thank you to the coordinators for encouraging us to network with the other participants.

One request would be – it's difficult for me to hear the details of the Web site and the e-mail address because they're not being spelled out entirely. Would it be possible to send the e-mail address for submitting written comments, as well as the Web site for hearing the follow-up – or reading the follow-up information from this listening session, by e-mail to all of us that have participated?

In our introduction or sign in, we had to give our e-mail address. And then we wouldn't have to try to figure out what you said in terms of those e-mail and Web site addresses.

Carol Ann Siciliano: (Jessica), that's a very practical suggestion. I – this is Carol Ann again – I appreciate it.

With respect to the comment e-mail address, that is on the announcement. So we – you have that already, although I will say it slowly. That was – what was that now? That was ejpermitting – P-E-R-M-I-T-T-I-N-G – at EPA.gov.

(David Basson): And just repeat that – I mean, spell it out. It's E-J-P-E-R-M-I-T-T-I-N-G at E-P-A.G-O-V. And that information was in the announcement. And we will also have that loaded up with the transcripts for folks who would like to contact through that.

Carol Ann Siciliano: Well that's actually – no, two things. I'll let my colleague who's not from New Jersey with her (feed mouth) read the Web site for the transcript and the list of participants.

But before I queued in to do that – which is nice – a nice low speaking David – is – will – we will explore, (Jessica), your suggestion, which is to assemble an e-mail distribution list for everyone who has dialed into these calls, because I think we do have those e-mail addresses.

And then we will look into sending to all of you and to all of the participants in these listening sessions, those two addresses – the Web site address that David will read to us slowly in a moment. And then also the e-mail address for sending comments and ideas and suggestions.

(David Basson): And that Web site – that Web site address for the transcripts and other information is the following: W-W-W.E-P-A.G-O-V/A-I-R.C-A-A-A-C/M-E-E-T-I-N-G-S.H-T-M-L. And that, we will use that as the focus for providing as much information as possible in addition to the transcripts of these calls.

Carol Ann Siciliano: All right, everybody. Well, thank you all so very much. And tonight at 6 pm, we have a listening session for environmental justice communities. So, Jolene, you're part of that community. And folks can dial in, certainly, to listen or if you're a part of that focus group, by all means, speak.

So that's from 6 pm to 8 pm tonight. And then a reminder that on June 28, time to be determined, we will have another tribal focus listening session on environmental justice and permitting.

(David Basson): Thank you, everyone.

Carol Ann Siciliano: Bye bye.

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