

Ute Mountain Ute Tribal Environmental Department-Brownfields Tribal Response Program

Ute Mountain Ute Tribal Brownfields Sites-Public Record

In 2003, the Ute Mountain Environmental Department successfully applied for federal funding to initiate a new program, the Brownfields Tribal Response Program. This program has focused on reusing and revitalizing Tribal property contaminated by past activities where no responsible polluting party could be identified or no party could be identified to mitigate a potential contamination issue.

The Brownfields Law requires easy access to Brownfield site information. The following public record portion includes information to satisfy this requirement. Additional information can be acquired from the Ute Mountain Ute Environmental Department.

FY 03 Activities

Under fiscal year 2003 funding, the Environmental Department submitted the following sites for clean up approval to EPA Region VIII in Denver, CO

- **White Mesa asbestos assessment and clean up projects.** -This project completed in Spring of 04 removed asbestos from an illicit dump created by federally funded housing projects
- **Ute Mountain Tribal Motor Pool Targeted Brownfields Assessment.**- The removal of three underground storage tanks from a closed Tribal Motor Pool were facilitated using Targeted Brownfields Assessment funds for pre-removal analysis. Actual removal of the USTs was accomplished using Bureau of Indian Affairs (BIA) funds.
- **Towaoc Dining Hall Asbestos assessment and removal project.** - Likely the Tribes largest Brownfields site, the Towaoc Dining Hall (deeded to the Tribe in the 1950s from the BIA) was constructed using asbestos and lead containing materials. Brownfields funds removed the contaminants and the site will be reused for a community hall.
- **Towaoc Boiler/Stack assessment and removal project.** - Early power generation left boilers that were unsalvageable and contained asbestos.
- **White Mesa Smart Site Building Assessment.** – In order to return a building to potential use for a new Tribal Technology Center, Brownfields funds were utilized to assess the building for possible contamination, specifically asbestos and lead.

FY 04 Activities

The following three sites were submitted to EPA Region VIII for clean up approval during fiscal year 2004.

- **White Mesa Re-use and Revitalization Housing Project Program** – Historically, mass housing projects in Tribal communities involved construction materials with asbestos and substandard building materials. Renovation of such houses in the Tribal

community of White Mesa 10 or more years ago removed the problems from the home sites but created new problems when the demolition materials were deposited in open dumps.

FY 03 assessment efforts identified these dumps and completed asbestos removal. However, more work must be performed to identify other potential contaminants and remove them.

Using the established Public Notification process and the ongoing GIS database system, the dump sites will be revitalized and information will be stored to enhance the future uses of the sites for residential and commercial purposes.

- **Oil Field Assessment/Cleanup Program** – Previous lease holders of Tribal oil field operations have left behind a legacy of environmental problems when they went bankrupt. Spills, oil field trash and contaminated soil have made it difficult for the Tribe to attract new operators.

The Ute Mountain Environmental Department's Brownfields Tribal Response program proposes to inventory all oil and gas production facilities on the reservation to identify contaminated properties. In the process of gathering the information, responsible parties can be identified. If current operators are identified as the responsible party of the contamination potential enforcement actions could be pursued against them. These enforcement actions could result in Supplemental Environmental Projects (SEPs) forcing them to clean up contaminated oil field operations where no responsible parties can be identified.

Using the established Public Notification process and the ongoing GIS database system the sites will be revitalized and information will be stored to ensure that responsible parties are already identified.

- **Tribal Abandoned Housing Assessment/Clean Up Project-** Federally and Tribally subsidized housing programs have improved housing conditions in the Tribal communities of White Mesa, Utah and Towaoc, Colorado. However, new homes led to the abandonment of individually owned dwellings that ultimately fell into disrepair. Over the years, evidence of ownership of the homes has been lost. Many of these homes contain asbestos that is becoming friable and a potential health and environmental hazard.

The Tribal Response Program proposes to conduct assessments of the homes and work in conjunction with the Ute Mountain Tribal Housing Authority (HUD) to revitalize the home sites for future residential use.

Using the established Public Notification process and the ongoing GIS database system the public and Tribal departments will have access to site information.

FY 05 Activities

The following three sites will be submitted to EPA Region VIII for clean up approval.

- **Mancos Creek Pesticide remediation project** – A Tribal farming operation in the remote corner of the Colorado portion of the Reservation has faced midnight dumping challenges for decades. Most dumping consists of household and construction debris. However, pesticides from an unknown source were left at the facility. Although a 1996 emergency clean up was conducted to remove the illicit pesticide barrels residents still complain of residual pesticide evidence.

FY 04 Phase I assessment efforts identified a potential for existing pesticide contamination. FY 05 funds will conduct sampling and clean up activities.

Using the established Public Notification process and the ongoing GIS database system, the contaminated pesticide site was revitalized and information stored to enhance the future uses of the sites for residential and commercial purposes.

Four contractors were used on this project: Mary Ahlstrom- EPA contractor for phase 1; Envirotech and Western Environmental completed Phase 2 assessment and SWCA completed the clean-up and capping work. 5 truckloads of contaminated soil delivered to hazardous waste facility in Nevada; clay cap engineered and installed to human health standards. Complete closure documentation available at 520 Sunset Blvd. Towaoc, CO.

- **Oil Field Assessment/Cleanup Program** – Previous lease holders of Tribal oil field operations have left behind a legacy of environmental problems when their operations went bankrupt. Spills, oil field trash and contaminated soil have made it difficult for the Tribe to attract new operators. Tribal economic development success relies on profitable oil and gas operations. Such operations create royalties improving the economic vitality of the Tribe.

FY 04 assessment activities identified widespread problems in the oil patch including but not limited to an abandoned oil and gas lease called the Horseshoe Gallup Unit. Through these FY 04 Phase I assessments it has come to the Tribe's attention that many sites previously considered Plugged and Abandoned (P and A'd) by the Bureau of Indian Affairs and State Oil and Gas regulatory agencies in fact may not be adequately closed and need to be reevaluated.

The Ute Mountain Environmental Department's Brownfields Tribal Response program proposes to continue inventory all oil and gas production facilities on the reservation to identify contaminated properties focusing on inventorying abandoned and previously P and A'd properties.

In the process of gathering the information, responsible parties can be identified. If current operators are identified as the responsible party of the contamination potential enforcement actions could be pursued against them. These enforcement actions could

result in Supplemental Environmental Projects (SEPs) forcing them to clean up contaminated oil field operations where no responsible parties can be identified.

Using the established Public Notification process and the ongoing GIS database system the sites will be revitalized and information will be stored to ensure that responsible parties are already identified. (Anticipated completion date-9/06)

- **Cottonwood Renegade Construction Debris Pit Project** - Federally subsidized road construction projects have improved economic development opportunities and basic infrastructure in the Tribal community of Towaoc, Colorado. However, demolition of roads by federal contractors led to the unsupervised dumping in a local flood plain of construction debris, solvents, and oils and fluids associated with heavy road equipment. Not only does this create a potential environmental hazard for the ground, water, and air, but may worsen in the case of a flash flood. Because of the construction debris and contaminants that were deposited there, it has become attractive for midnight dumping problems and increases vectors for potential health hazards such as Hanta Virus and West Nile Virus. These are both respiratory ailments that have affected Tribal communities recently.

The Tribal Response Program proposes to conduct assessments of the Cottonwood Renegade Construction Debris Pit in an effort to conduct a clean up of the facility in FY 05.

Using the established Public Notification process, a web site and the ongoing GIS database system, the public and Tribal departments will have access to site information. (Anticipated completion date-9/06)

FY06-FY07 Activities

Work continued on many sites identified in previous years such as the Horseshoe-Gallup Oil Field and abandoned houses projects. No new sites were identified until the one listed below.

- **Historic Sun Dance Grounds Open Dump** – Open dumping occurred for a period of time causing Tribal Leaders to take notice once a Sun Dance Chief informed them of the degradation of this historic sacred site. A phase 1 assessment was completed by the Environmental Programs Director and the site was requested for EPA designation as a Brownfields site. Phase 2 involved identification of non-landfill materials such as tires, paint, electronics, etc. Resources were allocated by EPA for clean up activities, but potentially responsible parties were also required to provide equipment and staff support at their expense. Upon closure, signs were posted to deter future dumping, and a fence may be installed to limit access. Completed March, 2008 (Fy2007 TRP funds used for assessment and clean up)

(FY2008-2010 information coming soon. Revised format likely.)

Brownfields Response Program Public Record

TABLE 1

| Site Name | <i>White Mesa Asbestos Dump</i> | <i>Towaoc Dining Hall</i> | <i>Tribal Abandoned Housing Project</i> |
|--|---|--|---|
| If clean up has been completed, date action was completed | 5/11/04 | 10/04 | n/a |
| Date Action is planned | n/a | n/a | On going |
| Name of owner at time of clean-up | Ute Mountain Ute Indian Tribe | Ute Mountain Ute Indian Tribe | Ute Mountain Ute Indian Tribe |
| Type of site | Asbestos | Asbestos, lead, | Asbestos, lead |
| Site address | White Mesa, Utah, Ute Mountain Ute Indian Reservation | 224 Sunset Blvd, Towaoc, CO 81334 | Ute Mountain Ute Indian Reservation |
| Latitude/Longitude | | | |
| Institutional controls in place (yes/no) | Yes | Yes | n/a |
| Type of institutional control | Dumping ordinance | Site closure-locked facility | n/a |
| Summarize nature of contamination at site | Asbestos containing materials in construction debris | Asbestos containing materials in buildings | Asbestos containing materials in buildings |
| Site size in acres | Scattered over 10 acres | 6000 ft ² | 20 homes |

TABLE 2

| Site Name | <i>White Mesa Smartsite Project</i> | <i>Oil Assessment/Cleanup Program</i> | <i>Field Construction Debris Pit Project</i> |
|--|---|--|--|
| If clean up has been completed, date action was completed | n/a | n/a | n/a |
| Date Action is planned | On going | On going | Spring 06 |
| Name of owner at time of clean-up | Ute Mountain Ute Indian Tribe | Ute Mountain Ute Indian Tribe | Ute Mountain Ute Indian Tribe |
| Type of site | Asbestos | Hydrocarbons | Highway Construction demo debris |
| Site address | White Mesa, Utah Ute Mountain Ute Indian Reservation | Ute Mountain Ute Indian Reservation | Towaoc,CO, Ute Mountain Ute Indian Reservation |
| Latitude/Longitude | | | |
| Institutional controls in place (yes/no) | Yes | Ute Mountain Ute Tribal Surface Water Quality Standards | Ute Mountain Ute Tribal Surface Water Quality Standards |
| Type of institutional control | Site closure-locked facility | Limited access | Limited access/ Dumping ordinance |
| Summarize nature of contamination at site | Asbestos containing materials in buildings | Abandoned oil and gas facilities | Highway/ pavement construction debris including hydrocarbons |
| Site size in acres | 1 building | Scattered well sites and production infrastructure over 500 acres. | 10 acres |

TABLE 3

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|--|---|--|--|
| Site Name | <i>Mancos Creek Pesticide remediation project</i> | <i>Historic Sun Dance Grounds Open Dump</i> | |
| If clean up has been completed, date action was completed | September 2008 Final Closure report May 2009 | March 2008 | |
| Date Action is planned | Started March 2005 | January 2008 | |
| Name of owner at time of clean-up | Ute Mountain Ute Indian Tribe | Ute Mountain Ute Indian Tribe | |
| Type of site | Pesticide/Herbicide | Open dump with hazmats | |
| Site address | Mancos Creek Farm, Hwy 491 Towaoc, CO | South Ute Trail Rd. Towaoc, CO | |
| Latitude/Longitude | | 108.721 W, 37.178N, UTM-NAD83Zone12N | |
| Institutional controls in place (yes/no) | Yes | Yes | |
| Type of institutional control | Restricted access BIA Tract number has cap description for non-disturbance | Signs, future fence possible; deterrence from spiritual leaders | |
| Summarize nature of contamination at site | Abandoned pesticide and herbicide storage facility | Various household objects, tires, paint cans, construction debris, electronics | |
| Site size in acres | 1 acre +/- | ~ 19 acres` | |