

QUAPAW TRIBE OF OKLAHOMA

P.O. Box 765
Quapaw, OK 74363-0765

(918) 542-1853
FAX (918) 542-4694

February 14, 2015

Ron Curry
Regional Administrator
U.S EPA Region VI
1445 Ross Avenue – Suite 1200
Dallas, TX 75202-2733
(214) 665-2100
Curry.ron@epa.gov

Dear Mr. Curry:

On November 18, 2014, Tim Kent, Environmental Director and Craig Kreman, Assistant Environmental Director of the Quapaw Tribe of Oklahoma (Tribe) Environmental Office met with several members of your Air Section staff via conference call in regards to the Tribe's request of treatment-in-a-similar-manner-as-a-state (TAS) eligibility to administer various regulatory programs and provisions under the Clean Air Act (the Act). The Tribe's application, for determination by the Environmental Protection Agency (EPA) that the tribe meets the following: 1) the eligibility requirements of 40 C.F.R. § 49.6 for CAA program approval; 2) approval of grant program authority under 105 of the Act; 3) recognition of the Tribe as an "affected State" for the purposes of Section 505(a)(2) of the Act; and 4) approval of treatment as a state for any additional provisions of the CAA for which no separate tribal program is required, was discussed at length during the conference call. EPA representatives stated in the call that EPA had no questions regarding the Tribe's intent to obtain grant program authority under section 105 of the Act, or regarding recognition of the Tribe as an "affected State" for the purposes of Section 505(a)(2) of the Act, and Section 107(d)(3) of the Act. However, during the conference call, Region 6 Air Section staff raised a questions regarding the Tribe's intent/objectives in applying for provisions for which no specific tribal program is required, including Section 112(r)(7)(B)(iii), which requires that risk management plans be submitted by stationary sources to states in which the source is located; Section 126, which requires notice to affected states of the construction of new or modified major stationary sources; and Sections 176A and 184, which specify Interstate Transport Commissions and Control of Interstate Ozone Air Pollution, respectively.

As a result of the discussions during this conference call with EPA Region 6 Air Section staff, and internal discussions among tribal leaders, Environmental Department staff, and legal counsel, the Tribe has made the decision to postpone seeking approval for TAS eligibility under Section 112(r)(7)(B)(iii), and Sections 176A and 184. The Tribe *would* like to preserve its portion of the TAS application seeking TAS eligibility under Section 126 of the Act; however, the Tribe, at this time, would like to have TAS *only* under Section 126(a), which requires written notice to all nearby States of major proposed new source or modified sources which may significantly contribute to levels of air pollution in excess of the national ambient air quality standards.

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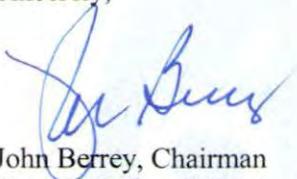
While the Tribe believes it is fully qualified to receive approval for TAS under sections 112(r)(7)(B)(iii), 176A and 184 of the Act, the Tribe's current goals in applying for TAS do not require TAS under these sections. At a later time, when, and if, the Tribe feels that these sections of the Act are germane to its goals and intentions, the Tribe will reapply for these specific sections of the Act.

The Tribe has submitted, in the past, a similar application under Section 319 of the Clean Water Act, in which it was determined by EPA that the tribe can receive funding under the above mentioned section of the Clean Water Act.

Attached to this letter are pertinent Quapaw Tribe Environmental Office staff resumes in relation to tasks necessary for TAS.

Thank you for your time and consideration of the Quapaw Tribe's application for TAS eligibility. Please do not hesitate to call our office at (918) 542-1853 or email Tim Kent at tkent@quapawtribe.com with any questions or concerns you may have concerning this letter.

Sincerely,



John Berrey, Chairman
Quapaw Tribe of Oklahoma

Enclosures

Cc: Tim Kent, Quapaw Tribe of Oklahoma, Environmental Director
Steve Ward, Conner & Winters, LLP, Quapaw Tribal Counsel
Aunjance Gautreaux, U.S. EPA Region VI Project Officer

RESUME

SPECIALITIES: Groundwater & Surface Water Hydrology * Soils Investigations * Geophysical Techniques * Computer Modeling * Geotechnical & Environmental Studies * Regulatory Compliance Consulting * Environmental Management

SUMMARY OF EXPERIENCE: Over 30 years of experience in managing geological, geophysical and environmental projects.

Geologic/hydrogeologic investigations at mining sites.

Computer modeling of surface water and groundwater contaminant transport.

Experienced in the design of geomembrane liner systems and groundwater monitoring systems at solid/hazardous waste landfills

Hydrogeologic investigations at solid waste landfills, RCRA facilities, abandoned mine sites, fuel storage tank sites, and wastewater disposal sites.

Geotechnical investigations/soils assessments.

Experienced in the design of treatment wetlands and hazardous waste disposal units at Superfund and RCRA sites.

Experienced in air quality monitoring and emission permit applications, including completion of emission inventories and managing air monitoring programs.

Phase I and Phase II Environmental Assessments and Environmental Audits.

PROFESSIONAL HISTORY:

2002 - Date	Environmental Director Quapaw Tribe of Oklahoma Quapaw, OK
2000 - 2002	Principal/Project Manager Kent and Associates, LLC Joplin, MO
1991 - 2000	Geologist/Project Manager Allgeier, Martin & Associates, Inc. Joplin, MO
1984 - 1991	Geophysicist Enserch Corporation Dallas, TX
1983 - 1984	Geophysicist Daniel Geophysical, Inc. Dallas, TX
1981 - 1983	Geophysicist Phillips Petroleum Company Bartlesville, OK

EDUCATION: B.S., Geology/Geophysics, Texas Tech University, Lubbock, TX.
Thirty four credit hours post graduate study - Environmental Engineering,
University of Texas at Dallas, Dallas, TX and Oklahoma State
University, Stillwater, OK.

REGISTRATIONS: Certified Professional Geologist - American Institute of Professional
Geologists (AIPG)
Registered Professional Geologist in Missouri (#RG0030)
Registered Professional Geologist in Kansas (#202)
40-hour OSHA HAZWOPER Certificate

HONORS: Dean's List; President's List; member, Geoscience Honor Fraternity (SGE);
Past Member - Board of Directors - Missouri Groundwater Association;
Past President - American Institute of Professional Geologists -
Missouri Section
Mike Synar Environmental Excellence Award

Susie Attocknie

5681 S. 630 Road
Quapaw, OK 74363
sattocknie@quapawtribe.com ▪ (918) 542-1853 Ext: 230

Summary

- Ms. Attocknie has 12 years of professional experience of participating in all aspects of the tribe's environmental department and approximately 3 years of air quality data collection, analysis and reporting with the Quapaw Tribe of Oklahoma Environmental Office (QTEO). The QTEO has been operating a \$103 grant from the Environmental Protection Agency (EPA) from 1990 through the present. Areas of expertise include air monitoring data retrieval, data analysis, quality control, quality assurance and inputting data into QTEO database and AQS.
- Ms. Attocknie is proficient in Air Quality System (AQS) database submittal. She has helped the QTEO successfully submit data certification reports to AQS for several years now.
- Ms. Attocknie is actively involved in monthly EPA Region 6 ambient air monitoring, National Tribal Air Association (NTAA) policy, and AQS database calls.

List of Trainings/Certifications

- **Management of Tribal Air Grants (through Tribal Air Monitoring Support (TAMS) Center)**
- **Air pollution & Eco Systems (through TAMS Center)**
- **AirVision Training for Air Monitoring Database Software**
- **EPA Quality Assurance/Control Training ("QA Camp")**
- **ITEC Air Trainings**
- **TAMS Professional Assistance In-house trainings**
- **Air Pollution Training Institute Introduction to Air Pollution Control training**

Craig Kreman, E.I.T.

5681 S. 630 Road

Quapaw, OK 74363

ckreman@quapawtribe.com ▪ (918) 542-1853 Ext: 226

Summary

- Mr. Kreman has 4 years of professional experience of management and participating in all aspects of environmental engineering and 1 and ½ years of air quality management with the Quapaw Tribe of Oklahoma Environmental Office (QTEO). The QTEO has been operating a §103 grant from the Environmental Protection Agency (EPA) from 1990 through the present. Areas of expertise include air program project management; meteorological and ambient air quality monitoring. Program management includes: development, data retrieval, data analysis, quality control, quality assurance and inputting data.
- Mr. Kreman is a steering committee member of the Tribal Air Monitoring Support (TAMS) Center. He was appointed starting October 2014 and is a three-year term.
- Mr. Kreman is actively involved in monthly EPA Region 6 ambient air monitoring, National Tribal Air Association (NTAA) policy, and TAMS Center Steering Committee calls.

Professional Experience

Environmental Engineer – Quapaw Tribe of Oklahoma, Quapaw, OK ▪ 09/2013– Present

- Assisted in management of several superfund grants, §103, §106, §319, and general assistance program (GAP) grants.
- Maintained and revised Quality Assurance Project Plans for ambient air monitoring and several other media specific monitoring in accordance with EPA guidance documentation.
- Developed work plans and budget for upcoming fiscal years in accordance with goals and objectives of QTEO.
- Active participant on TAMS Steering Committee, NTAA Policy issues, and EPA Region 6 ambient air issues.

Environmental Staff Engineer – Terracon Consultants, Inc. Des Moines, Iowa ▪ 08/2010 –08/2013

- Developed plans, specifications, and inspection reports as needed on assigned tasks to see that these items were complete, accurate, and in accordance with good engineering practice.
- Implemented technical requirements to complete client projects by directing field staff to sample, test, and collect data and/or document on-site activities at various client sites.
- Was involved with interpretation of and compliance with Federal, State and Local regulatory requirements, including but not limited to the Clean Water Act, Clean Air Act, NPDES and RCRA to resolve certain aspects of a client's project.

Association/Honors

- Tribal Air Monitoring Support (TAMS) Center Steering Committee Board member (2014-2017)

Education

B.A. Degree, Engineering and Mathematics, Wartburg College, Waverly, Iowa, 2009

M.E. Degree, Civil Engineering (Environmental Emphasis), Iowa State University, Ames, Iowa, 2011