

US EPA ARCHIVE DOCUMENT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
PUBLIC HEARING

Gila River Indian Community
District 4 Service Center
Stotonic Road and West Sesame Road
Sacaton, Arizona 85247

Thursday, September 27, 2007
7:00 p.m.

Reported By: Peggy A. Smith, CSR, RPR
Certified Court Reporter No. 50726

U.S. ENVIRONMENTAL PROTECTION AGENCY

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1 MS. WONG: We would like to start and again
2 there's refreshments in the back and feel free to take any
3 of the seats in the front. We have plenty of room here. So
4 before we do start the public hearing session of the meeting
5 today, I would like to turn it over to Cheryl Nelson again,
6 our Project Manager for the EPA, to clarify some of the
7 statements in the earlier public meeting that we had an hour
8 ago.

9 MS. NELSON: During the break, we had some folks
10 ask us questions about an earlier statement I made and I had
11 an opportunity to go back and look at the letter that I was
12 quoting from that Romic had submitted to EPA, and in fact,
13 the letter does not say definitively that Romic intends to
14 file an appeal. That was apparently my recollection, but I
15 misspoke.

16 Romic has told us that verbally, but we've never
17 seen that in writing. So I just wanted to clarify that.

18 MS. WONG: Great. So at this moment I would like
19 to turn this over to Arlene Kabei, our official public
20 hearing officer for tonight for the public hearing section
21 of our meeting and again, we are asking that if people are
22 interested in making comment, please go to John -- John,
23 raise your hand, please -- and he will sign you up and at
24 this moment, we will turn over the microphone to Arlene
25 Kabei and I do request all of you to please speak slowly and

1 concisely as we do have a court reporter here, Ms. Peggy
2 Smith, who is recording this event. Okay. Arlene?

3 MS. KABEI: Thank you. For those of you that
4 were not at last night's meeting, I might be a little
5 repetitive here, so please bear with me. For those of you
6 that have not been part of any prior public hearing as
7 opposed to public meeting for EPA, the public hearing is a
8 very formal process that we go through as part of our public
9 notice on our proposed decision and because of that, I must
10 read into the record -- it's not what I prefer to do, but I
11 cannot afford to ad lib this one. I must read into the
12 record the statement that we have which sets up the context
13 for the commenters that will follow. So again, please bear
14 with me on that one.

15
16 It is 7:11 p.m. this evening and this public
17 hearing is now open. My name is Arlene Kabei and I am with
18 the U.S. Environmental Protection Agency in San Francisco
19 and the Associate Director of the Waste Management Division
20 and I will be presiding over this public hearing. The
21 purpose of this hearing is to formally hear public comments
22 on EPA's intent to deny a hazardous waste operating permit
23 for the Romic Technologies Corporation Southwest facility
24 located at 6760 West Allison Street within the Gila River
25 Indian Community.

1 By way of some background, the Romic facility has
2 been in existence since 1975 when it was operated by
3 Southwest Solvents. Romic purchased the facility in 1988
4 and has operated since that time as a hazardous waste
5 storage and treatment facility that primarily recycles
6 solvent waste. Federal regulations requiring a permit for
7 Romic's hazardous waste activities were promulgated in 1980
8 well after the facility had been in operation.

9 In such cases, as Cheryl has said, facilities can
10 acquire interim status that allows them to continue
11 operations until EPA makes a final permit decision for their
12 operations. Under interim status, facilities must comply
13 with extensive regulations designed to protect human health
14 and the environment.

15 Romic submitted a final permit application to EPA
16 in February of 2005 requesting a ten year permit to operate
17 to treat and store hazardous waste. EPA has reviewed
18 Romic's permit application. EPA is today proposing to deny
19 the Romic permit application because the application is
20 lacking a landowner signature and certification as required
21 by our regulations. Owners, that is including landowners
22 and operators of hazardous waste facilities, are jointly
23 responsible for complying with the hazardous waste
24 regulations.

25 Therefore, our regulations require that both the

1 landowner and operators sign and certify the permit
2 application. The Gila River Indian Community is the
3 landowner for the Romic facility. GRIC must also sign and
4 certify Romic's application in order for that operation to
5 be deemed complete. Romic's final revised Part B
6 Application submitted on February 18, 2005 lacked a
7 signature from GRIC as the landowner.

8 EPA has had numerous formal and informal
9 discussions with Romic and representatives from GRIC
10 regarding the need for the landowner's signature. On
11 June 20, 2007, the GRIC Community Council passed the
12 resolution disapproving of Romic Environmental Technology
13 Corporation's Part B permit application. Because GRIC has
14 voted not to sign Romic's permit application as the
15 landowner, the EPA is proposing to deny the permit
16 application because the application is incomplete.

17 Public notice of this hearing and of the
18 commencement of the public comment period was given on
19 August 24, 2007 by publication in the East Valley Tribune,
20 Chandler Republic and the Casa Grande Dispatch. Also on
21 September 4, 2007, EPA mailed a Fact Sheet to approximately
22 330 people on the Romic facility mailing list, 700 copies to
23 Gila River Indian Community's Department of Environmental
24 Quality for distribution to their membership and 300 copies
25 to the City of Chandler for distribution. The 45-day

1 comment period for this decision runs from August 24, 2007
2 until October 9, 2007.

3 Again, the purpose of this portion of the hearing
4 is for us to listen to your comments and concerns. As Pui
5 Man has mentioned, we will not respond to your comments at
6 this time. After the conclusion of the public comment
7 period, EPA will prepare a Response to Comments document
8 that will list all the comments that we received and our
9 responses. That document will also include our final permit
10 decision. That document also will become part of the
11 administrative record. EPA will also accept written
12 comments and these will be considered along with the
13 statements made at this hearing. You may hand in written
14 comments at the end of this hearing on the form provided if
15 you prefer not to speak. You may also submit your written
16 comments to EPA at the address listed on the Fact Sheet
17 until October 9th.

18 Thanks for your patience and I'm going to turn
19 this now over to PuiMan to invite our commenters up.

20 MS. WONG: I will now read the names of the
21 people who have signed up to make a comment and when I call
22 your name, please step up to the mic and state your name,
23 the organization you're representing, if any, and please
24 speak slowly and concisely to the make comments specifically
25 to the topic for tonight. We do have a long list and we

1 would like to make sure we have enough time allowed for
2 everyone to speak. Feel free to use the podium or stand
3 where I'm standing at right now. The first person I'm
4 calling and inviting to the mic is Ms. Lori Riddle.

5 MS. THOMAS RIDDLE: Hi. My given name is Lori
6 Thomas and my married name is Lori Riddle. Some people know
7 me as both. But basically, I wanted to make the statement
8 that hopefully we are almost done with this fight, battle
9 that we have been fighting. As I said last night and I
10 didn't want to be redundant, but you know, basically saying
11 that a lot of people thought that I was, you know, power
12 hungry or wanting fame or wanting whatever and that wasn't
13 the case.

14 What's more important to me is my family, my
15 family, my relatives here on the reservation. I'm sorry.
16 It's just -- it's hard for me -- it's always hard for me --
17 like I said, I'm very happy and very proud that a lot of you
18 who have been exposed haven't gotten sick and haven't seen
19 your family members become sick because of chemicals. And I
20 don't wish illness to be in your lives, but when it's in
21 your life like it was with my daughter and my family, you
22 can't help but try and prevent this from happening to other
23 people, you know? Who wants this to happen?

24 Some people think that this is a game. Grass
25 roots people have been telling me for years now, since 1989,

1 that they're glad that people are finally listening to what
2 they're saying. They're glad to know that their family,
3 their cries are being heard and it's hard to see a company
4 just come in and feel like they can take over people's lives
5 and affect them.

6 I feel bad because my sister could never have
7 children and she never did. My brother could not have
8 children and he never did. I thank God every day for my
9 child. I know it's hard for the Council members to go in
10 there and do the jobs they have to do and practically run
11 through that job like crazy and make the right decisions,
12 but I think that now we're finally saying enough is enough.
13 We're not going to let our people go through this. We're
14 going to make sure that nobody has to live with (inaudible)
15 anymore. Life is real, life is precious (crying).

16 Our water that we treasure so much is what
17 sustains us, but it can't be, yeah, your water is not that
18 contaminated. It's okay. It's safe to drink. When are you
19 going to put a stop -- and people who -- I don't think it's
20 the company itself, but people who fought for Romic think
21 that they can go around and intimidate people like me, but
22 that's not going to happen. It's only going to get me
23 stronger. People want to make it personal.

24 I just want to make it safer for the community
25 here in Gila River, Chandler and Ahwatukee and wherever. I

1 support other organizations, Indian or not Indian. I'm not
2 prejudiced and this has drug on too far. Decades. It's
3 drug on too far. We can't let it drag anymore. Don't let
4 it happen anymore. I know I kind of got off track here and
5 I know the thing is that, you know, people are questioning
6 me now. That's fine. That's a diversion tactic, but I have
7 answers. I do.

8 And I'm not going to quit my work just like I
9 told the person that threatened me on the e-mail. I'm not
10 giving up now or ever. I'm going to keep talking. As long
11 as I have a voice I keep talking. Thanks for the tribe.
12 Thanks for EPA. You guys have been really helpful to try to
13 give the information to us and thank you for your
14 supporters, people that have been there. I'm going to let
15 everybody else talk. Thank you.

16 (Applause.)

17 MS. WONG: I would like to invite E.R. Connell to
18 the mic. And if you could please state your name and the
19 organization, if you're representing any, and please
20 remember to speak slowly into the mic.

21 MR. CONNELL: Thank you, everyone, for being
22 here. My name is E.R. Connell. I go by my initials. First
23 of all, I wanted to state that I'm in part representing
24 myself as an individual and also in part the company, Romic.
25 I've been an employee for just over a year. In that time I

1 have witnessed nothing more than what I consider to be very
2 dedicated, conscientious, hard-working employees, all of
3 whom have freely displayed a great deal of pride in their
4 work and in my opinion and my experience, with a high level
5 of concern for their fellow employees and the environment
6 and the surrounding communities.

7 I personally have often favorably commented on
8 how well each of these employees have worked together and I
9 have regularly been impressed with their attention to detail
10 in regards to the health and safety of others. It has been
11 a privilege and an honor to be associated with an
12 organization, in my opinion and my experience, that took
13 great lengths to ensure proper training of its employees. I
14 witnessed it first-hand and I believe that that was directly
15 related to the success that Romic experienced throughout its
16 history in the past two decades.

17 In my opinion, if only more community members
18 were fully aware of the intense depth of training that each
19 of our employees were required to complete in addition to
20 the other things I've already mentioned, perhaps there would
21 have been a different perception of the company as a whole.
22 I feel that it is unfortunate that the services Romic
23 provided were misperceived as causing harm and exposure to
24 the community and environment, because it has truly been my
25 experience that every step along the way Romic has gone

1 above and beyond what has been required by regulations, by
2 law agencies, et cetera, and out of its way to cooperate
3 with local and regional compliance regulations on a regular,
4 daily basis.

5 It's not a secret that some incidents have
6 occurred. However, neither myself nor any representatives
7 of the company have ever seen or been presented any clear
8 evidence that Romic or members of Romic were intentionally,
9 willfully, negligently or covertly attempting to pollute the
10 environment, let alone individuals within the community.

11 Based on the upbringing that I was fortunate
12 enough to have, I feel strongly that if I had become aware
13 of such practices, then I could not in good faith continue
14 to be a part of an organization that would condone such a
15 thing. I believe all our fellow employees echo the same
16 sentiment.

17 Many of Romic employees have endured listening to
18 what they have described as false accusations with regards
19 to how they handle and treat hazardous materials that were
20 received into the facility. I feel it's important to set
21 the record straight. That being said, I would also like to
22 sincerely commend and applaud the efforts of those
23 individuals who come together to oppose the permit
24 application and ongoing presence of Romic within the Lone
25 Butte Industrial Park. It does show incredible passion,

1 intestinal fortitude -- basically guts -- and although I may
2 personally disagree with many of the assumptions,
3 allegations directed towards Romic, myself as an individual
4 and Romic as a company, do in fact very much respect those
5 efforts and the decision that the Tribal Council has made.

6 As an individual, I'd like to express my support
7 for the members here representing U.S. EPA and thank them.
8 It has been a pleasure and a privilege. My experience has
9 been that they have always conducted themselves
10 professionally and responsibly, fairly and within the
11 guidelines set forth in the Resource Conservation Recovery
12 Act, RCRA.

13 I strongly disagree with the negative approach
14 and condescending and adversarial tone that some
15 fundamentalists have taken and used throughout these
16 proceedings, including the ones back in December and
17 directed toward the members of the U.S. EPA, especially
18 since none of the above-mentioned fundamentalists were ever
19 treated that way in the first place. Again, my perception.

20 In closing, in regards to comments that were made
21 earlier, Romic will continue to cooperate to the utmost with
22 the Lone Butte Development Corporation, Gila River Indian
23 Community, especially in regards to responsibly identifying
24 any future concerns and needs for the site, as well as
25 assisting in determining the future for the Romic site.

1 Thank you.

2 (Applause.)

3 MS. WONG: I would like to invite Teri Lynne
4 Kisto to please come up to the mic. Please restate your
5 name and the organization you're representing, if any, and
6 please speak slowly so the court reporter can record your
7 statement.

8 MS. KISTO: Good evening. My name is Teri Lynne
9 Kisto. T-E-R-I L-Y-N-N-E K-I-S-T-O. I am an enrolled
10 community member of the Gila River Indian Community. My
11 District is District 3 and I'm also an employee of Romic.
12 Romic would like to thank you for the opportunity to present
13 these comments tonight.

14 There have been a lot of negative comments made
15 about Romic in the recent months. Romic has remained silent
16 throughout this time. The company believed it was being
17 respectful, but as a result of the company's silence the
18 people who make up Romic were feeling let down and unfairly
19 portrayed. This is why I am before you tonight to make
20 these comments.

21 First, a bit of history. Romic was invited by
22 the community to take over the Southwest Solvent site in
23 1988. Southwest Solvents was a failed solvent and oil
24 collection and recovery operation that left the community
25 with an accumulation of waste and a contaminated site.

1 Romic accepted the invitation to come to the site and from
2 1988 to 1993, Romic worked closely with the community and
3 U.S. EPA to clean up the site. This work was done at
4 Romic's expense, including properly shipping off the waste
5 in inventory, removal of contaminated soil, installation of
6 a synthetic liner to prevent future migration of
7 contaminants to ground water and placement of clean soil
8 above the liner.

9 Romic constructed concrete contaminant structures
10 above the clean fill and then built a modern liquid
11 recycling facility on the concrete foundation. The total
12 cost to Romic was about two and-a-half million dollars, but
13 it was an investment in the future. Based on the signature
14 from the community leadership, Romic made the investment
15 under a good faith belief that the community would continue
16 to back its application for a U.S. EPA hazardous waste
17 facility permit.

18 Since building its new facility Romic developed a
19 successful, responsible business, generated over \$15 million
20 in annual revenue and provided a valuable service to the
21 community and the State of Arizona. Romic is proud of its
22 record and is the only environmentally friendly recycler in
23 Arizona for materials such as solvent and antifreeze. Romic
24 also provided services to the community such as household
25 hazardous waste collection days in Sacaton and waste

1 management and emergency response services.

2 During the 19 years of Romic's relationship with
3 the community, Romic was on tract to get its permit
4 application. With the site approved by the U.S. EPA, Romic
5 went through the extraordinary efforts to ensure permit
6 application was sound and complete, going above and beyond
7 normal requirements. For example, Romic contracted with an
8 independent scientific consultant to conduct a risk
9 assessment of the facility operations, something not
10 normally done for a facility such as ours.

11 Romic incurred substantial additional expenses to
12 complete this permit application, but based on continuing
13 discussions with community leaders, these expenses were seen
14 as an investment. The vote in June by the Council to deny
15 the landowner's signature on Romic's permit application has
16 caused the U.S. EPA to deny the permit. While Romic
17 disagrees with this decision, the company respects the
18 community's wishes. Romic will work cooperatively with Lone
19 Butte Industrial Park and community leaders to explore
20 options for the site and Romic wishes to thank its many
21 conscientious and loyal employees, including several
22 community members. Their efforts were the reason for our
23 success.

24 It is unfortunate that we cannot continue to
25 provide gainful employment for them. Going forward as

1 always, Romic remains committed to being responsible and
2 Romic will continue to meet its obligations. That's the
3 statement on behalf of Romic.

4 Now, I'd like to make a statement and this is a
5 personal statement from me, so I don't need anything in
6 writing. This comes from the heart.

7 I just want to say that back in the fall of 2006,
8 I happened to read an article in GRIN about Romic and let me
9 tell you, the article led me to think what is this company
10 doing in our community? What do we need to do to get rid of
11 this company? And I actually had the intentions of going to
12 that meeting in December.

13 Unfortunately, the company that I worked for
14 during that time was really busy so I could not get off of
15 work to go. And how ironic in the spring of 2007, I would
16 have an opportunity to go work for Romic and actually kind
17 of thought this was really intriguing because it was like
18 aha, I remember this company. Let me go and apply and see
19 what happens and I did not tell them I was a community
20 member.

21 So I went in for my interview and met with the HR
22 manager, got the job, didn't tell anybody at that time I was
23 a community member and then the April 5th incident occurred
24 and then everything after that started proceeding, happening
25 and all of these different comments were, you know, coming

1 up and it probably wasn't until June or July that the
2 company found out that I was a community member.

3 I guess my point today or tonight is just to let
4 you know that I have family that live in the community and I
5 will tell you that there is no way that I ever would work
6 for a company that would ever hurt the community. I have
7 relatives that live from District 1 through District 7 and
8 it means a lot to me and I will tell you that if I ever
9 thought that the company was ever doing anything to hurt the
10 community, I would walk away because I know that I have
11 skills. That's not the only company that I can work for.
12 And I just wanted to share that with you tonight. Thank
13 you.

14 (Applause.)

15 MS. WONG: I would like to invite Bradley Angel
16 to the mic and again, please state your name and the
17 organization that you're representing, if any, and speak
18 slowly so we can record your comments.

19 MR. ANGEL: Good evening. My name is Bradley
20 Angel and I'm the Executive Director of an organization
21 called Greenaction for Health and Environmental Justice.
22 And for those who don't know, our organization was formed by
23 people from many walks of life, from communities that
24 suffered pollution and health problems from that pollution.
25 People from Arizona, California came together ten years ago

1 to form Greenaction including indigenous people from tribes
2 in Arizona.

3 I'm here tonight on behalf of our members here at
4 Gila River and also in surrounding communities. We're here
5 to support the U.S. EPA's proposed action to deny the permit
6 to Romic. We are here to call upon the U.S. EPA to uphold
7 the law and to deny this permit in a proper way, but without
8 delay. I'm also here to applaud the Gila River Indian
9 Community for taking important action to protect the health
10 and well-being and protect the sovereignty of the Gila River
11 Indian Community, and just as an aside, Greenaction's been
12 involved in this issue here for, I guess about six years,
13 and we're proud of the fact that during that entire time,
14 our approach was to provide information so that tribal
15 members and tribal government could make an informed
16 decision, because we believed that they were not getting
17 that from other sources. We have always respected the
18 tribe's sovereignty and right to self-determination and
19 that's a core principle of our organization.

20 Why must EPA deny the permit? They must do so
21 because the law is very clear. The landowner, the Gila
22 River Indian Community, in a unanimous vote on June 20,
23 fourteen to zero, voted based -- I wasn't there, it's not my
24 business, and they didn't even need a reason, but I'm sure
25 they were looking at all the facts. They exercised their

1 sovereignty and voted to reject this permit. Therefore EPA
2 has no choice.

3 Under the law of federal hazardous waste laws of
4 RCRA, they must deny the permit. Period. End of
5 discussion, but even more importantly, the EPA has trust
6 responsibility as a federal agency to respect and support
7 tribal self-determination of the Gila River Indian Community
8 and they must act quickly and effectively and properly to
9 exercise that trust responsibility. Thirdly, there's the
10 Executive Order on Environmental Justice from the White
11 House in 1994 that also mandates that they act in this
12 manner.

13 I also wanted to address there's been some
14 comments tonight about Romic's track record. First, I want
15 to state that we have a lot of respect for the workers of
16 Romic. We agree that -- and I really appreciate Teri Lynne
17 and her comments, because we agree that -- I believe that
18 Romic workers approach their work with integrity and I think
19 Romic's responsible to take care of these folks, because
20 they should not be blamed for Romic's years of actions as a
21 corporation, not as the individuals who did their best, I
22 believe, but as a corporation, did not do their job to
23 follow the law, to protect public health and environment.
24 This is not just opinion. This is not just a perspective.
25 These are the facts.

1 We are also very concerned that Romic's refusal
2 to clearly and publicly state in an official statement in
3 writing how they will respond to the tribe's vote and their
4 failure to say that they were -- in writing -- their failure
5 to say that they will respect the tribe's decision, we
6 believe, is what's called environmental racism. We believe
7 it's an attack on tribal sovereignty and we join tribal
8 members in calling on Romic as a corporation to respect the
9 tribe's vote.

10 The fact is, that Romic as a corporation has a
11 miserable track record and we place the blame at the
12 corporate heads, not for the workers. This is not just
13 Greenaction talking. We knew about Romic from their actions
14 in East Palo Alto, California, at their sister facility and
15 I don't know how many of you know this, but in the last
16 couple of months the State of California is taking
17 unprecedented action due to years of problems that almost
18 identically mirror the violations at this facility and in
19 California, community groups fight with the state a lot
20 there because people feel they don't protect public health.
21 They took unprecedented action and have shut down that
22 facility.

23 We believe it was Romic's corporate misbehavior
24 that has basically disintegrated them as a corporation in
25 this business because we do need responsible recyclers.

1 Romic as a corporation is not one of them.

2 They violated their interim permit here
3 repeatedly and it would seem that they also violated the
4 lease, but that's something the lawyers need to look at. We
5 know that -- we had looked at the U.S. EPA's inspection
6 reports through a Freedom of Information Act and we found
7 things that, in fact, showed that Romic's poor behavior went
8 on for years before the EPA started in the last few years
9 taking enforcement action. And the same types of violations
10 that have been documented in enforcement actions by EPA in
11 the last few years here actually went on for years. This is
12 documented in the EPA files.

13 In August of 2005, as some of you know, the U.S.
14 EPA fined Romic over \$67,000 for the claims that, oh, they
15 were well-run and did everything on the up-and-up as a
16 corporation. Again, this should not reflect on the workers.
17 For the record, the EPA's -- it ended up -- the Enforcement
18 Order turned into a Consent Agreement, which means that
19 Romic does not dispute this. They didn't agree, they didn't
20 disagree, but they signed this Consent Agreement which
21 alleged that during U.S. EPA and Gila River Indian Community
22 inspections in February of 2002, August 2002, and
23 April 2003, these inspectors -- tribal and federal --
24 discovered that Romic failed to properly operate, inspect,
25 monitor and maintain records for air emission control

1 devices for the closed vent system and the hazardous waste
2 storage tanks.

3 They failed to properly mark, monitor, inspect,
4 calibrate and maintain records for equipment that contains
5 or contacts hazardous waste. They stored ignitable waste
6 less than 50 feet from the property line and stored
7 incompatible waste next to each other. They failed to store
8 hazardous waste in good containers in good condition and
9 they failed to properly label and close them.

10 And then in December -- and I'm glad Teri Lynne
11 wasn't there in December, because if you were working in
12 that office you might have been sickened and you weren't at
13 the hearings in December. The hearings in December were
14 incredible. It was on EPA hearings on risk assessment, but
15 things didn't go so well because Romic had an incident --
16 and this is not a perception. The fact is -- and Romic
17 admitted it -- that the accident that they had sickened
18 dozens of workers at the neighboring plant. That was
19 clearly admitted. People got sick. That is a fact.

20 When we, on the afternoon of the second hearing,
21 tribal members and Greenaction and The Arizona Republic
22 Newspaper took a tour of Romic. The smell was still there.
23 It was sickening and workers were working inside the office
24 that still smelled. The windows were closed and when we
25 stepped outside, we saw illegally stored hazardous waste

1 that the general manager admitted were improperly stored.
2 He admitted it was illegal. We documented that, including
3 with photos.

4 Then a few months ago, the U.S. EPA also took
5 action due to more violations, and this also ended up in
6 Consent Agreements signed by Romic. These violations
7 included failure to properly -- I'm sorry. These included
8 failing to operate its facility to minimize the possibility
9 of an unplanned release of hazardous waste into the air,
10 soil to surface water, which could threaten human health and
11 the environment, failing to notify either the government
12 official or the on-scene coordinator and the emergency
13 coordinator did not take all reasonable measures necessary
14 to ensure that fires, explosions and releases do not occur
15 or recur with respect to other hazardous waste at the
16 facility.

17 These are real serious and there was more, as you
18 know, and I bring that up because there's a public relations
19 campaign by Romic, oh, we were great, everything was fine
20 and it wasn't, and that's unfortunate and people were put at
21 risk and this went on for years.

22 So in closing, we believe the Tribal Council
23 didn't need a reason to take their vote, but certainly had
24 years of reasons and we support that decision. We call on
25 EPA to support that without delay. Thank you.

1 (Applause.)

2 MS. WONG: I would like to call and invite Janet
3 Haskie to the mic. Janet Haskie? Please state your name
4 again and if you represent an organization, the name of your
5 organization, if any, and please speak slowly so we can
6 capture your comments.

7 MS. HASKIE: Good evening. Can you hear me? My
8 name is Janet Haskie and I'm a tribal member. I reside in
9 District 5 Wet Camp, but I'm also a landowner near the
10 industrial park, about 2 miles east of the industrial park.
11 I'd like to make a comment about contamination.

12 This has been going on for years, not just in
13 Romic, but throughout our whole Gila River. I remember when
14 I was growing up, you hardly saw any young child with
15 glasses or respiratory problems. Now, that's all our little
16 ones -- little ones are wearing glasses and have asthma or
17 respiratory problems. Now, there's something wrong there.
18 There's something wrong with that picture.

19 So I just want to let you know most of you -- I
20 don't see too many elders here. I just see maybe three or
21 four -- but you know what I'm talking about. As a member of
22 the Gila River Indian Community and a native to this great
23 nation, we as Native Americans are stewards to mother earth,
24 care takers. Our forefathers were given spiritual direction
25 on how to take care of our mother.

1 As an environmentalist I have the duty to teach
2 our young the importance of respecting mother earth. As
3 educators we can't do it alone. We need tribal leaders to
4 look into this to make sure that our environment is clean
5 for our generations to come. We need to take that into
6 consideration. Forget about the money. Think about our
7 health and our safety if we are to survive. We've survived
8 all these years with a lot of things that are going on.
9 They've been trying to get rid of us all these years and
10 we're still here. So we must have some lesson somewhere.
11 We must take that into consideration.

12 Not too long ago there was an article in the
13 Republic about companies like Romic and in that article it
14 said that these hazardous waste companies look for areas,
15 poor communities to do their business. Now, is that how
16 we're going to be labelled, as a poor community and we don't
17 know what we're doing or we make our decisions? We need to
18 think about that.

19 My last comment is I know in California three
20 violations and you've had it. So Romic has had three
21 violations. I hate to say that, but that's true. Thank
22 you.

23 (Applause.)

24 MS. WONG: I would like to invite Teri Johnson to
25 the mic and please state your name and the organization that

1 you're representing, if any.

2 MS. JOHNSON: My name is Teri Johnson and I'm a
3 community organizer for Greenaction and a Kool-aid mom for
4 Children for a Safe Environment, because I'm the only one
5 with a driver's license in that group.

6 I'm here to support and applaud the Gila River
7 Community and the Council for standing up and making a
8 decision to protect the community's health. You're making
9 history today that some day your children and grandchildren
10 will thank you for. We heard tonight about how a lot of the
11 Romic employees were very dedicated workers. Now let's see
12 how Romic takes care of those workers. We need them to make
13 sure they get jobs or give them a severance package or take
14 care of them. They were good to them and now they need to
15 be good back to them.

16 In closing, I'd like to say that this community
17 is so lucky to have someone like Lori Thomas Luna Riddle to
18 do what she's done, you know, over these last couple of
19 years. You know, she had a death threat on her life and
20 she's going to keep on doing the work. And she did take a
21 lot of information and she took a lot of heat, too, for what
22 she's been doing on her own time and her own money and her
23 old car. And it got her around to get everybody educated
24 about this company.

25 When she would go to people they'd say: What

1 does that company do? I didn't even know they were here
2 anymore. She got rid of a company that was spewing
3 medical -- dioxin, medical waste that the children here were
4 breathing. It's so bad for them and I think that this
5 community's very lucky to have somebody like her. Thank
6 you.

7 (Applause.)

8 MS. WONG: I would like to invite Alex Soto to
9 the mic. Please state your name, the organization you're
10 representing, if any, and please speak slowly.

11 MR. SOTO: Hello. My name is Alex Soto. I'm a
12 Tohono O'odham. I live here in Phoenix. I'm a young person
13 and I'd like to support of EPA's decision as far as these
14 kicking these guys out and as far as my involvement, I do
15 work with GRACE. I do work with O'odham Youth Collective.
16 I do work with a lot of people and to answer a question
17 earlier, I am a co-founder of GRACE. Everybody that cares
18 about the environment is a co-founder of GRACE. All
19 indigenous people are.

20 So either way, as a young person, I can see where
21 the elders are coming from. A long time ago I hear stories
22 how this area had a lot of green, a lot of water, water for
23 the people and nowadays it's still there, but we have a lot
24 of outside interests that care more about money that are
25 trying to come over here and you know, as you put it, take

1 us out and that's not going to happen. I'm going to be
2 here. I have a kid and hopefully they can be out here. And
3 all from Phoenix all the way down to Mexico, this is our
4 indigenous area.

5 So I am in full support of EPA's decision and
6 this all in all, this is more of a victory for native rights
7 as far as issues out here, because most times Gila River and
8 the O'odham people, we really don't stand up and for me, it
9 was good to see for once that we're actually saying
10 something, to have a voice to come up and say, it's not
11 cool, it's not right. And I mean, Bradley said it. It's
12 not going to the employees or anything like that. It's more
13 so big businesses and we all know that's the issue here. So
14 I'm all in support of EPA's decision and that's all I have
15 to say.

16 (Applause.)

17 MS. WONG: I would like to invite Kevin Jose to
18 the mic. Please state your name and any organization you
19 are representing, if any, and speak slowly, please.

20 MR. JOSE: My name is Kevin Jose. I am also a
21 co-founder of the O'odham Youth Collective and also for
22 GRACE. GRACE and O'odham Youth Collective are the people,
23 the community. It's the people that have the voice to
24 actually speak that this is our territory. This is our
25 homeland. We do what we can to take care of our mother

1 earth, but to some of those that are out there for lust or
2 greed, you really, really have to think what's going on to
3 these young people.

4 I have a nephew right now that's going through
5 the same thing. He's having eye troubles. Asthma, they're
6 not quite sure, but I want to say that I really support the
7 EPA's decision to deny Romic and also as well that we keep
8 preserving and we keep speaking up for the people and also
9 kudos for the Gila River Tribal Council for making the
10 decision and making the right one, doing something to
11 preserve the future for our children and your children's
12 children. So that's all I have to say. Thank you.

13 (Applause.)

14 MS. WONG: I would like to invite Joseph C.
15 Morago to the mic. Please state your name and any
16 organization you're representing, if any, and please speak
17 slowly.

18 MR. MORAGO: My name is Joseph Christopher
19 Morago. I am a community member. I'm a co-founder of GRACE
20 and I'm a Native American. I'm a member of this community.
21 I've been listening to the comments by Romic employees and,
22 you know, I was going to read a statement first and then
23 leave it at that, but I want to address your comments first.

24 One of the comments was the need of proof. Well,
25 proof is pretty easy on our part because I have a copy of

1 the death threat, the e-mail that one of your former
2 employees, one of your coworkers sent to us. So if you want
3 proof, it's there.

4 There's proof in the accidents that Bradley
5 stated, the EPA violations and stuff, that is all written.
6 That is all what is done. You talk about your training.
7 You talk about the training that has happened and the
8 training that you guys received. What happened to the
9 training in the April accident when your company didn't
10 follow their own emergency procedures? They didn't call the
11 fire department. They didn't call anybody. They called the
12 secretary at the Lone Butte Industrial Park office. It was
13 your neighbor, Lumber Products, that called.

14 It was stated in Tribal Council by the Tribal DEQ
15 and the fire chief that Romic employees were running down
16 the street with alarms going off. Now, I wasn't there. I
17 don't know if that was true or not, but that sounds pretty
18 serious to me. It sounds that there is a problem and that
19 leads down to responsibility. Who is responsible for this?

20 EPA is supposed to look out for the
21 responsibility for us. Our tribe has made their decision
22 and made the responsible choice by telling them that we do
23 not want them here and that was a unanimous vote. So that
24 talks to responsibility.

25 On the point of history, I know the history of

1 Romic. I know that they took over for another company. I'm
2 not blaming every single problem in the industrial park that
3 Romic faces on Romic, but what have they done since they've
4 been here? First of all, they lacked the permit. This is
5 the second time they have come to the Tribal Council to get
6 a permit and this is the second time they were denied. That
7 is a fact.

8 Their record of accidents is still a fact. Lying
9 to the community -- I have been in community meetings. I
10 have seen your flyers that your company is putting out
11 telling us that everything is okay. Yet I see EPA
12 inspection reports, Tribal DEQ inspection reports that say
13 that is not true. So they are lying to the community and as
14 I said before, they're not following their own procedures.
15 You created -- your company created the emergency management
16 procedures.

17 Number one is call the Fire Department, call
18 9-1-1 if there was an accident. That was never done. You
19 talk about the way that your employees work and everything.
20 That is the responsibility of you. We talk about community
21 leadership. The leadership has spoke loud and clear. They
22 want Romic gone.

23 As far as O'odham working at Romic, Teri Lynne
24 was the third person that I've met in six years that has
25 worked for Romic. The industrial park, which was the

1 original industrial park board which my late uncle, Moro D.
2 Morocco(sp) was on, was created for light industrial so
3 O'odham people could have jobs, not for a company to come
4 and pollute, not for them to bring 497 different chemicals
5 onto our land. That is not the purpose of what the
6 industrial park was created for. And I just wanted to read
7 my original statement that I wrote a couple of days after I
8 heard about the e-mails and the stuff that we've been
9 dealing with lately.

10 I would like to thank the U.S. Environmental
11 Protection Agency for the opportunity to comment on Romic
12 Southwest Technology's permit application. At this time, I
13 feel that the Gila River Indian Community has made a clear
14 statement about this company. By unanimously voting against
15 signing as a landowner, the Tribal Council has made it clear
16 that Romic Southwest Technologies is wrong for the Gila
17 River Indian Community.

18 I have always felt that Romic was detrimental to
19 the health and livelihood of our community. Romic has
20 consistently put profit over safety concerns of employees,
21 neighboring businesses and the communities that surround its
22 facilities. Romic's history of violations prove that they
23 are a dangerous company. The environmental impact that this
24 company has left on our reservation is yet to be determined,
25 but the emotional and mental scars that they leave behind

1 are more visible.

2 At this time environmental activists in our
3 community are seeking protection from death threats and
4 personal attacks on our community. Former employees of this
5 company continue to perpetuate the negative images of Native
6 American Indians by calling our people savages and drunks.
7 They attack the very essence of our way of life. I'm
8 offended that Romic would hire and bring these type of
9 people on our reservation. The racist remarks made by these
10 type of people only make our grass roots efforts stronger.

11 I feel that it is my duty to protect mother earth
12 from people like you and a company like Romic Southwest
13 Technology. When you make personal attacks on my family, my
14 people, it makes me want to fight harder to protect the land
15 that I call home. When people from your organization
16 threaten the life of my daughter's mother, I take it
17 personally. When you disrespect my community, family, race,
18 it makes me angry, but unlike you, I have a high regard for
19 human life and I have no hate for human beings. I do what
20 it takes to protect my family and my community, but not at
21 the price of a human life, a concept your company does not
22 understand.

23 The literature and propaganda that your company
24 presents to our community proves that you only care about
25 profit. Your company claims to protect the environment

1 through recycling, yet it contributes to the pollution of
2 our reservation. This company hauls in 497 different types
3 of chemicals and waste from around the country and Mexico.
4 The unsafe practices from Romic has released poisonous
5 gases, created fires and contributed to the pollution of the
6 ground water beneath this facility. Not only have you hurt
7 the Gila River Indian Community, offended its people, but
8 your carelessness could hurt our tribe financially.

9 This facility is located less than half a mile
10 from one of our primary sources of income, the Lone Butte
11 Casino, Wild Horse Pass Resort and Casino. If another major
12 accident were to occur at your facility, the economic impact
13 to the Gila River Indian Community cannot be measured. The
14 potential for loss of life, income security, not to mention
15 the environmental impact that such an accident will have is
16 not worth the risk or the price that our tribe will have to
17 pay as landowners.

18 At this time I wish to reiterate my previous
19 comments by saying, Romic has no place on Gila River and I
20 will fight this company as long as they are in my back yard,
21 that I will protect the interests of my family, GRACE and
22 the tribe, that I will protect mother earth and the O'odham
23 Tohono. Romic Southwest Technologies is wrong for Gila
24 River Indian Community and it's time for them to go. I
25 thank you for your time and consideration in this matter.

1 (Applause.)

2 MS. WONG: I would like to invite Garyn Klasek to
3 the mic. Please state your name and the organization you
4 represent and please speak slowly.

5 MR. KLASEK: My name is Garyn Klasek. It's Gary
6 with an N. K-L-A-S-E-K, and I work with a number of
7 environmental organizations and social rights, social issues
8 organizations. I strongly support and stand behind GRACE.

9 One thing I would like to say is that I am so
10 glad to hear that the EPA is stepping up on this issue and
11 standing side by side with the tribe as well as the Council
12 members on this issue. At the same time, I've heard some
13 stuff today that's like about -- I mean, like, I'm a huge
14 supporter of worker's rights and I think that if the workers
15 of Romic are hearing about violations or like, sicknesses
16 that the logging industry next door is feeling because of
17 what Romic, the corporation, is doing, that's something you
18 should be careful about, you know, in the company that
19 you're working for.

20 I'd also like to say that as far as what was it
21 like, you know, when the majority of the community of Gila
22 River and other surrounding communities are in great
23 opposition and when the tribe and the Council are voting in
24 opposition to the corporation and the corporation's actions,
25 that that's the voice of the community and like you all were

1 saying before, you know, if the tribe, if the community has
2 a voice and they're using it and they're saying they don't
3 want you here, then it's time to leave and apparently
4 someone's not getting the message and I think it's important
5 that you do leave and if you're not going to, I can't wait
6 to hopefully see the EPA do it. Thanks.

7 (Applause.)

8 MS. WONG: I would like to invite Bill Dixon to
9 the mic. So the next person on the list is Susan Dixon.
10 Please speak your name and the organization you're
11 representing and speak slowly.

12 MS. DIXON: My name is Susan Dixon and I
13 represent myself. I'm married to Bill Dixon, a 19-year
14 veteran of Romic Environmental and I'm sorry to say that I
15 do not agree with the Council, but out of respect for the
16 community that I live in, they voted to close Romic, which
17 means a loss of 60 jobs and out of those, two members were
18 involved community members. Seven of them were other Native
19 American people.

20 I'm a past employee of Romic and I do know that
21 they did try to hire community members first, if they were
22 qualified, but the vast majority of the community members
23 unfortunately do not have a GED. So we need to get those
24 people on with the program and get a GED, even for elderly
25 people. I have a stepson who's 36 years old and one more

1 try and he'll have his and he'll be a productive member of
2 society then, but he's trying, but he said math is hard.

3 So -- but I know I'm sorry to see Romic go. When
4 I was there, my mother was very concerned about where I was
5 working, but as a receptionist, administrative assistant I
6 was properly trained, which was hard for me, but like I
7 said, out of respect for the land that I do live on, because
8 I do live in District 3, we will have to go along with the
9 wishes of the tribe, but I'm sorry to see them go. I
10 thought they were a productive company. And every company,
11 no matter what everybody says, does have violations, whether
12 it's Gila River Hospital or any of the restaurants located
13 in town. And they get a chance to correct their mistakes.
14 So thank you.

15 MS. WONG: At this time I would like to invite
16 Shannon Rivers to the mic. Please state your name and any
17 organization you're representing, if any, and please speak
18 slowly.

19 MR. RIVERS: Thank you. I'm Shannon Rivers. I'm
20 Akimel O'odham. I'm from the community here from District
21 5. What I just heard was a little damaging, I guess. As
22 for here -- I just want to state briefly that in Indian
23 country, we have different ways of living and that first
24 thing is that we protect our family and the rights of our
25 family and part of that family is our mother earth.

1 So unfortunately, we didn't grow up like the rest
2 of society who said, you have to go to school and you have
3 to work hard. So I just want to address that.

4 I'm a certified therapist. I manage a company
5 here that makes over \$2 million a year. There are many
6 people here that have bachelor's degrees, master's degrees,
7 Ph.D.s in the community. So I just want to address that. I
8 don't know if your standard (applause) -- if your standard
9 says that we have to complete a GED to make us a member of
10 society. I feel really uncomfortable with that statement
11 that you just said and I would say that without hesitation
12 that borders on racism within the Indian community.

13 I don't represent any organization. I do
14 represent myself as a community member and I have been
15 working with organizations in California from the Western
16 Shoshone supporting my cousin, Lori. Bradley asked me to
17 come up and speak briefly a little bit about
18 self-determination and self-governance in the community.

19 Within Indian country there are many mining
20 companies and organizations like Romic that target -- and I
21 think one of our elders had spoken -- that they target
22 native or poor communities or poor locations within the
23 country specifically in the United States and that's all I
24 want to address.

25 We look at New Mountain Mining Company in Western

1 Shoshone. We look at the Yucca Mountain storage of uranium.
2 We look at the Passamaquoddy in Maine. We look at the Yute.
3 This issue is nothing new to Indian country. We have been
4 attacked not only spiritually, physically, emotionally and
5 mentally, but we have been attacked at the most level that
6 anyone can be and that is to take the land right out from
7 under your feet.

8 So when we look at those issues, the reason it's
9 such a passion or passionate issue is it's not just about
10 kicking a company off the community. It's about time the
11 Indian people say wait a minute. We have the right to
12 self-determination and that is who we want or don't want in
13 our community.

14 It can go down to as simple as a drug dealer. We
15 don't want that kind of thing in our community. I've been
16 clean and sober for 17 years, so if I'm a member of society,
17 and I would hope that it meets your standards right there, I
18 would let you know that it's important for you to understand
19 that we are not trying to kick 60 people out of the
20 community. What we are saying to a company that violated
21 its own policies and procedures, that that is not something
22 that you can do in the community.

23 Last thing I want to address is this old thing --
24 and it's written 500 years ago. It's called divide and
25 conquer. And if you remember there were these Indians, they

1 were called hang-around-the-fort Indians and I want you to
2 specifically hear that, that topic, that there were Indians
3 that supported white communities that lived in our area and
4 a lot of them would, if you will, sell out. And that's not
5 what we're asking Indian people to do.

6 If you truly believe in the future, not just of
7 your job, but in the seven generations to come, then you
8 would recognize that and say, what am I leaving for my
9 community and my people? Is my land going to get
10 contaminated? Is my water going to get contaminated? That
11 is the right to self-determination as Indian people.

12 Now, we need to address it and I applaud the
13 Council for doing what they done. It was important for them
14 to do that. It's no disrespect to the employees.
15 Unfortunately, there has to be a relocation of that company
16 and from my understanding and all its violations, there
17 would have to be an annihilation of that company if they
18 cannot totally respect any land that they're on and that
19 there are violations that they are continuing to have.

20 So I applaud EPA for coming. I thank Bradley for
21 asking me to come up here and say a few words regarding
22 self-determination and the right to self-determination in
23 Indian country and it's called sovereignty in the community
24 and we need to respect that. Romic needs to respect that
25 and the employees need to understand that. It's not about

1 personal attacks or issues. So I feel uncomfortable when we
2 kind of get personal. It's about an issue that has to do
3 with our land, our property and our territory and our
4 natural resources and that is water. Thank you.

5 (Applause.)

6 MS. WONG: I would like to invite Cheryl Joaquim
7 to the mic. Please state your name, any organization you're
8 representing and please speak slowly.

9 MS. JOAQUIM: Good evening. My name is Cheryl
10 Joaquim and I am a tribal member from Gila River here. My
11 dad comes from Wet Camp in District 5 and my mother is from
12 District 4. I currently reside along the border land about
13 a mile from Romic. I'm a grandmother, a mother and a single
14 parent, as well.

15 I just would like to say that I'm happy to be
16 here just to speak on my behalf as a resident that lives
17 right next to Romic and I myself support the Council's
18 decision to deny the application. We were part of Lori's
19 group when she had asked us and informed us about what was
20 happening and I myself, being that I live right there, took
21 it upon myself to speak for my family in regards to how
22 we're affected by it.

23 There's many times that my children, we'd wake up
24 with headaches and our eyes water. Now, I don't know if
25 that's a direct result of that, but that has never happened

1 to us before and these headaches, they don't go away.
2 Sometimes my daughters will complain about the headaches or
3 just achiness in their bones and it makes me really
4 concerned.

5 When I spoke to Lori's mother -- most of you
6 don't know, she's very ill, as well -- concerning the
7 contamination that they lived by. So that concerns me as
8 well as for my grandchildren. My grandchildren play
9 outside, just like I said, a mile from the plant there. So
10 again, I agree to it. It's not a personal issue. It's
11 about respect, about respecting each other as neighbors.

12 I myself feel that I'm a community member of the
13 community right next to us. My kids have gone to school at
14 Kyrene District Schools since they were small and my main
15 concern is that -- I'm just here to let you guys know and my
16 community know that I support the effort that's been made
17 and also to let Lori and all the people that came in
18 support, that we support your efforts and my family and me,
19 and any threat that is made, then they are threatening the
20 whole O'odham Nation, is how I look at it. Thank you.

21 (Applause.)

22 MS. WONG: I would like to invite Bill Dixon to
23 the mic. Please state your name, any organization you're
24 representing, if any, and please speak slowly.

25 MR. DIXON: My name is Bill Dixon. I'm Community

1 Affairs Advisor for Romic Environmental and this evening --
2 well, yesterday evening I got up and I made a statement and
3 I didn't write out anything for tonight. If I did, it would
4 be pretty long, because I've been there 19 years, so it
5 would take almost all night and I'm sure you people don't
6 want to stay here all night.

7 But anyway, as I spent my time there, to me, I
8 don't see the things that a lot of people are talking about
9 on the outside because I was in the inside. And so I have a
10 different opinion on it, but that's just my opinion and
11 everything else was covered previously by E.R. and Teri
12 Lynne.

13 However, I just want to state that in this
14 country, we are very lucky that we can get up and say
15 whatever we want to say and be allowed to do that. In other
16 countries you cannot do that. They would shoot you if you
17 said the wrong thing. So maybe we should go back to that.
18 But anyway, on my final statement, I'd like to say on the
19 incident with Lori, on the threat, on behalf of Romic, they
20 say that it's a police matter and Romic does not condone
21 threatening behavior. So that's all I want to say. Thank
22 you.

23 (Applause.)

24 MS. WONG: We would like to invite Scott E. Long
25 to the mic. Please state your name, the organization you're

1 representing and please speak slowly.

2 MR. LONG: Hello, I'm Scott Long. I'm here
3 tonight representing myself in the political traditions of
4 Hubert Humphrey, Walter Mondale and Paul Wellstone from the
5 State of Minnesota where I grew up. I moved out here a long
6 time ago and I grew up in a political tradition of grass
7 roots efforts to make public changes, to change policy, to
8 fight for the rights of people and various groups and for
9 justice.

10 When I moved out here I became discouraged. I
11 saw that this lust for growth and economic development sort
12 of taking over everything and that sense of grass roots
13 concern about issues was sort of missing. And so I'm here
14 tonight -- I'm an outsider to the Gila River Indian
15 Community, but I'm here to pay tribute to this community and
16 to Lori Riddle, where one person has sort of fought upstream
17 against all the odds and against the powers of growth and
18 economics to set an example for the rest of us to sort of
19 restore the sense of faith in the American tradition of
20 grass roots efforts.

21 This story of what brings us here tonight is a
22 story of people who are heroes and people who have been in
23 groups that have been negligent. Among those, the Romic
24 Corporation. They came here with the intentions of doing
25 something wonderful, taking toxic, hazardous materials and

1 doing something productive with it, to recycle, which is in
2 the spirit of what we want to do as a community.

3 However, you have to fulfill that obligation
4 because when you're handling these things, you can't make a
5 mistake. You can't have an accident. This company has been
6 operating under an interim permit for 18 years. I've only
7 been aware of this issue personally for less than a year,
8 but since I became aware of this issue there have been four
9 incidents.

10 In 1979, there was an incident at Three Mile
11 Island, a nuclear power plant. Since then, not one single
12 nuclear power plant has been built in this country. A
13 mistake was made. Their employees were dedicated, they were
14 well trained, but a mistake was made. There has to be a
15 certain level of tolerance.

16 Again, in Arizona, there's a great deal of -- the
17 whole structure of society is based on growth and economics.
18 And here we had a Tribal Council who stood up against those
19 forces that dominate our culture and took action based on
20 some simple community values: Preserving the values of
21 family and health and the well-being of its citizens and its
22 culture above those ever-so-powerful influences of growth
23 and economics.

24 Another negligent party here, the community. You
25 have the City of Tempe that won't discuss a Wal-Mart that's

1 being built because state law will not let them discuss
2 those issues. Is that sovereignty? The City of Chandler,
3 right now they're building a Covance Animal Testing facility
4 there. The City Council won't discuss it because it's
5 someone else's business. It's not our responsibility. It
6 is that ownership? Is that sovereignty?

7 Well, the Gila River Tribal Council has really
8 refreshed my faith in the traditions I grew up with in
9 restoring that sense of sovereignty and ownership and
10 they've taken the lead and helping, again, restore that
11 American spirit of democracy and grass roots efforts.

12 Again, where were the political parties? Where
13 were the Republicans? Where were the Democrats? And except
14 for the Arizona Republic, where was the media? I have been
15 so demoralized. Back in Minnesota I was called a Democrat.
16 Out here -- I haven't changed -- but out here I'm not called
17 a Democrat. I'm called a radical and people think, oh, he's
18 a radical.

19 Well, anyway, I haven't changed, but the values
20 around here are very different and it's time and thanks to
21 people like Lori Riddle, people are standing up and saying,
22 hey, this has got to stop and I am so thankful and it again,
23 restores my faith in the process. A lot of people have
24 given up on the process, but thanks to your faith and your
25 determination and your love for your culture and your

1 community, I'm just very thankful to stand here and ramble
2 on and pay tribute to this, because it inspires me. It
3 starts here with Romic, but maybe it can go to Tempe. Maybe
4 the Wal-Marts that communities don't want or the Covance
5 Animal Testing facilities or maybe addressing issues. Maybe
6 the media will wake up.

7 You did this, Lori Riddle, without hardly any
8 media support except for the Republic, nothing, and yet we
9 stand here today about to see this place shut down. Again,
10 it just restores my faith and I just want to stand here and
11 say thank you. Thank you, Lori Riddle, and thank you to the
12 Native American spirit that again has restored democracy to
13 America. Thank you.

14 (Applause.)

15 MS. WONG: I would like to invite Delores
16 Martinez to the mic. Please state your name, any
17 organizations you're representing, if any, and please speak
18 slowly.

19 MS. MARTINEZ: Good evening. I want to thank
20 you, each and every one of you for coming, whether you
21 represent Romic or represent the Gila River Community here.
22 Sometimes I just don't know where to begin. I recently
23 became involved with my relatives that live closely to the
24 Romic facility here and O'odham Nation here and I want to
25 support each and every one of them in their efforts to

1 protect their way.

2 I personally can't understand some of the other
3 community members that would want to perpetrate disrespect
4 and abuse of the land that their ancestors walked on. I
5 just can't understand that. And a part of me realizes that
6 there's a racial and economic profiling that goes on and
7 targets our people and when our people are economically
8 deprived, we are forced to take these jobs that otherwise
9 we, you know, apparently even though people have GEDs,
10 they're apparently not educated enough to understand that
11 what they're doing is destroying the environment that they
12 live on, the water that they drink and the air that they
13 breathe. So on the one hand I have to remind myself that I
14 have to love our people more than I hate the toxic
15 perpetrators that take it upon themselves to destroy our
16 environment.

17 On the one hand, I want to say that there has
18 been a pattern of negligence with Romic, but really, it's a
19 pattern of arrogance that must not be tolerated. On the one
20 hand, we have to have compassion for people that, for
21 economic purposes, have chosen to work for facilities like
22 Romic. I encourage you to go a little further and maybe
23 pass the GED phase and perhaps get a little vocational
24 training and look for something that might be an asset to
25 the community. Certainly with the kind of loyalty that you

1 display, certainly any company would be glad to have you.

2 Another thought that you might consider is that
3 not only was Romic negligent -- well, not even negligent. I
4 think when you show a pattern of abuse, that's no longer
5 negligence, but they also display a disregard for their
6 employees, Native or non-Native. Something you might want
7 to consider, you might want to get a full physical. Might
8 want to consult an attorney and possibly you might need to
9 consult an attorney. We might be able to provide one to
10 you.

11 I cannot understand why, although the EPA is here
12 and I'm really glad that, you know, somehow there's some
13 kind of a venue for us to air our concerns. Yesterday I
14 kind of made a comment with respect to the EPA's
15 responsibility or lack of responsibility and allowing this
16 to go on for so long and, you know, individually I'm sure
17 that you are good folks, but collectively you're really
18 enabling toxic perpetrators to continue to pollute our
19 environment. And if you are bound by certain restrictions
20 that you cannot move away from, then certainly standard
21 operating procedure would require that you seek some support
22 from the Administration at the top level.

23 Yesterday I asked for the overall top official in
24 the EPA, their information, and unfortunately none of the
25 members of the EPA that were present could identify them.

1 Not only they couldn't identify, but they didn't know how to
2 contact them. But fortunately today, I was given his name.
3 His name is Matt Hale. He's the Director for the Office of
4 Solid Waste. If anybody has a cell phone and they wish to
5 put that in their phone, now would be the time. The area
6 code number there is 703-308-8895.

7 I urge each and every one of you to advocate on
8 behalf of our community. I personally am an advocate for
9 Native rights and children's rights, Native and non-Native,
10 and I urge you to heed the warning, you know. Yesterday I
11 was told by the EPA that the fines that were collected with
12 respect to Romic were actually not disbursed in the
13 immediate community to repair the damage that was done
14 there. I was told that Romic helped to clean up other dump
15 sites. That makes no sense. They are a dump site. They
16 are a toxic waste dump site. They have no business
17 monitoring other dump sites.

18 Furthermore, I was told that some of the fines
19 that were collected were used to buy -- purchase equipment,
20 emergency equipment. For what? Some kind of disaster plan?
21 Well, what are we doing? Preparing for another, more
22 prolific toxic waste catastrophe? That makes no sense at
23 all.

24 Anyhow, I urge you all to call Matt Hale at area
25 code 703-308-8895. He's the director for the U.S. EPA

1 Office of Solid Waste and as far as I'm concerned, I can
2 think of only one place that I want to see solid waste -- in
3 the toilet. Thank you.

4 (Applause.)

5 MS. WONG: At this time I would like to invite
6 Laura Thomas to the mic. Please state your name, any
7 organization you're representing and please speak slowly.

8 MISS THOMAS: Essentially, I didn't intend to
9 speak at this meeting. I just came to hear everyone's
10 thoughts and opinions about everything. So I would
11 appreciate it if you also hear me out. I've listened to
12 everything that everyone has had to say: Good, bad or
13 indifferent, for that matter.

14 My name is Laura Thomas. I'm Lori Riddle's
15 daughter. She spoke of things that happened in our family,
16 like by another company like Romic that affected a lot of my
17 family's health. I won't go into too much detail on that,
18 but like I said, I didn't intend to speak. It was just -- I
19 heard some of the opinions and I guess you would say the
20 focus points on things people had to say.

21 And personally, I don't really feel that we
22 should be allowed to be talked down to as a community by
23 someone that isn't necessarily a tribal member. I do
24 understand your point on that -- (applause) -- that may be a
25 fact, but I mean, what does that really have to do with the

1 topic of this meeting?

2 And another issue that I hadn't heard was from
3 one of our own tribal members saying that they had family up
4 and down the reservation and that they wouldn't work for a
5 company that they felt was bad for our people. Well, why
6 would you allow yourself to work at a company that only has
7 locations on minority communities? That doesn't make too
8 much sense to me.

9 I mean, what's so bad about the company that they
10 can't put it in mainly Caucasian or any other -- I don't
11 know how to word that exactly, but how would you allow
12 yourself to be there and support that, knowing that they
13 don't support our community and what we do. I guess that's
14 pretty much it. Thank you.

15 (Applause.)

16 MS. WONG: I've read all the names of those
17 individuals who signed up to make a comment tonight. At
18 this time if there is anyone present today who would like to
19 make a comment and have not yet spoken, please raise your
20 hands and I will pass the mic to you. Please state your
21 name and any organization you're representing and please
22 speak slowly.

23 MR. VAN DRUFF: Good evening. My name is David
24 Van Druff. I'm a community member and I spoke last night at
25 the meeting. I live, as I said, down the road from Romic up

1 there on the northern boundary. Some of the things, I
2 guess, that have happened in the last couple days have been
3 so fast and I want to thank everybody for being here.

4 The only really comment I'm going to make right
5 now, though, is that I notice that there are certain tribal
6 officials here tonight. The grass roots movement of the
7 people should not have to be taking action this way to
8 protect our lands and our water rights.

9 (Applause.)

10 You are the leaders that we elect and we count on
11 you to act in our behalf. And I'm talking to anybody that
12 works for the tribe, anybody that's a Councilperson in this
13 room, and you can tell them that David Van Druff made this
14 comment tonight here because, for some reason, we're not
15 being represented enough by our leadership and I'm a little
16 disheartened about that. Thank you very much.

17 (Applause.)

18 MS. WONG: Is there anyone who would like to make
19 a comment at this time? Okay. I will turn over the
20 proceedings to our official public hearing officer, Arlene
21 Kabei.

22 MS. KABEI: Seeing that there are no other
23 commenters, it is now 8:35 p.m. and this hearing is now
24 closed. Thank you very much for coming, for your
25 participation and be careful on the way home.

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(Whereupon, the hearing is concluded at 8:35
p.m.)

* * *

1 STATE OF ARIZONA)

) ss:

2 COUNTY OF MARICOPA)

3 BE IT KNOWN that the foregoing public hearing was
4 taken by me pursuant to notice; that I was then and there a
5 Certified Reporter for the State of Arizona and by virtue
6 thereof authorized to administer an oath; that the
7 proceedings were taken down by me in shorthand and
8 thereafter transcribed into typewriting under my direction;
9 that the foregoing 55 pages are a full, true and accurate
10 transcript of all proceedings upon the taking of said public
11 hearing, all to the best of my skill and ability.

12 I FURTHER CERTIFY that I am in no way related to
13 nor employed by any of the parties hereto, nor am I in any
14 way interested in the outcome hereof.

15 DATED at Phoenix, Arizona, this 3rd day of
16 October, 2007.

17
18
19 PEGGY SMITH, CSR, RPR

20 Certified Reporter, No. 50726
21
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