August 23, 2022

Andy Helkey  
Kellogg Remediation Manager  
Idaho Dept. of Environmental Quality (DEQ)  
1005 McKinley Ave.  
Kellogg, ID 83837

Re: Institutional Controls Program (ICP) - Changes to the Regulatory Framework

Dear Mr. Helkey,

On behalf of the Coeur d’Alene Tribe, please accept this letter of support for the regulatory framework changes that are being proposed to the Idaho State Legislature based on the current Idaho Administrative Procedures Act (IDAPA) rules. It is our understanding that there is a temporary Panhandle Health District (PHD) Rule under IDAPA 41.01.01 wherein PHD in Kellogg, ID has been implementing the ICP for nearly 27 years and this temporary rule is now up for consideration during the 2023 Idaho Legislative Session. In order for this very important work to continue overseeing that EPA’s remedial activities in the Bunker Hill Superfund Site (BHSS) are protective of human health and the environment, it is of the Tribe’s opinion that a Statute be sponsored by DEQ during this upcoming Legislative Session so this vital work can continue.

The proposed Draft Statute will not result in any substantive changes to requirements of the ICP and the local PHD office will continue with their Blood Lead Intervention Program, community outreach efforts on recreating safely in the Silver Valley, nor will there will changes on ICP inspection activities. All of these components of the ICP are imperative in order to maintain remediated barriers, which are protective of human health and the environment, and the Tribe supports DEQ overseeing this program utilizing their regulatory framework.

The Tribe continues to stay committed to promoting public awareness and protection of water quality, natural and cultural resources in the Coeur d’Alene Basin, the Tribe’s aboriginal homeland, and we find great value in the ICP as being unique in one of the largest Superfund Sites in our nation. The Tribe supports DEQ in administering the program with the assistance of PHD and hope that this support is received well at the 2023 Idaho Legislative Session.

If you have any questions or concerns you can reach me at: caj.matheson@cdatrbie-nsn.gov, or (208) 686-1009.
Sincerely,

Caj Matheson  
Director, Natural Resources Department  
Coeur d’Alene Tribe

Cc: Dan McCracken, DEQ Regional Administrator  
Tyrel Stevenson, Legislative Affairs Director, Coeur d’Alene Tribe  
Rebecca Stevens, Hazardous Waste Program Manager, Coeur d’Alene Tribe