

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, the White Mountain Apache Tribe, Environmental Planning Office, Legal Department and Tribal Emergency Response Commission are working with tribal departments and enterprises and with federal and state agencies to prevent petroleum releases to the environment of the Fort Apache Indian Reservation; and

WHEREAS, regardless of sound planning and accident prevention programs, petroleum releases in the form of gasoline, diesel fuel, fuel oil, motor oil and others, will on occasion occur as a result of motor vehicle and aviation accidents, and from spills and leaks from fuel tank systems; and

WHEREAS, when petroleum releases result in soil contamination, the Environment Planning Office is taking the lead role in investigating such instances and ensuring that responsible parties are held accountable for cleaning up contaminated soil to a degree felt to be protective of the environment and public health of the Reservation; and

WHEREAS, the U.S. Environmental Protection Agency has not set specific soil clean up standards which apply to tribal lands; and

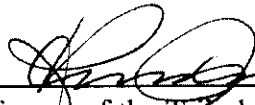
WHEREAS, the Tribe, through its inherent right to adopt laws and set policies to protect the health and welfare of its tribal members and the reservation environment, has the authority to set its own soil clean up standards for areas impacted by petroleum releases.

BE IT THEREFORE RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts the attached "Interim Standards for Cleanup Levels in Soil," and that the tribal Environmental Planning Office and Legal Department are directed to impose and enforce these standards for clean up of petroleum contaminated soils in cases not involving groundwater.

Resolution No. 07-97-201

BE IT FURTHER RESOLVED by the Tribal Council that these interim standards shall be used until such time that work with these standards indicates that more or less restrictive standards should be established.

The foregoing resolution was on July 17, 1997, duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (f), (h), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council