

July-Sept.
2010



Forest County Potawatomi Community — Natural Resources Department

Air Monitoring Program Activities

Air Site Equipment Status

It was a busy quarter for operations at the Air Monitoring Site, with many troubleshooting issues, and new equipment arriving. All the equipment failures were repaired in-house by the Air Monitoring Specialist, with a minimum of down time and cost.

The motor on the particulate sampler, sampling for metals, burned out twice this quarter, and was rebuilt with parts donated by the WDNR. The sampler is now running smoothly.

A pump failed on the Ozone analyzer, and was replaced with a rebuilt one on the same day. A minimum of data was lost.

A lamp failed on the Vaporous Mercury analyzer, and was replaced with a new one. After the optimization process and burn in period, the analyzer was back on line. About three days of data were lost.

The Solar Radiation sensor had been sent out for recertification and was put back online this quarter.

The Data Acquisition System was updated by WDNR personnel this quarter. This was done at no cost to the Tribe. All went fairly well, with a few minor glitches yet to be worked out.

A new continuous monitoring particulate sampler was received this quarter, and hopefully will be installed and operational by January 1st.

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Air Resources Program Activities

Air Pollution Permit Applications Submitted to WDNR.

- **WE Energies/DOMTAR Biomass permit** - Rothschild, WI.
FCPC requested that an analysis be performed to determine if the pollutant levels could potentially impact any of the resources of concern on the Reservation. The analysis was conducted and predicted pollutant levels were determined to be below the thresholds provided by FCPC, indicating that sensitive resources would not be jeopardized. Communications continue between the State and WE Energies as the permitting process continues, and FCPC will continue to review portions of the application as they are submitted and provide comment where necessary.
- **Flambeau River Biofuels permit** – Park Falls, WI
The air program received word from the WDNR that a new pollution source was submitting a permit for a Biofuels facility locating in Park Falls, WI – within the 100 km Class I parameter. The application is expected soon and will be reviewed by air staff and contracted professionals.

Grants

The call for applications for the 2011 grant year for EPA's Clean Air Act (CAA) Grant went out on September 30th. Air staff will be working on the application so it is ready for submittal by the November 30th deadline.

In the past, beginning in 2003, the FCPC air program was funded through Section 103 of the CAA. Funding under Section 103 is specifically for *projects*, such as starting an air monitoring program. Once the program is started and going strong, funding should shift to Section 105 *program* funding, however, the 105 grant requires that the Tribe match the funds by 40%, that is unless you have TAS status (Treatment in the Same Manner as a State) under the CAA, in which case the match is only 5%. The Tribe submitted its application for TAS in June of 2009 and on September 30th, 2010 FCPC received approval for TAS, just in time for the 2011 grant application cycle.

Class I Process Continues But Nears the End

Because FCPC's Class I was modified in the Tribe's 1999 Class I Agreement with the WDNR that resulted from the dispute resolution process, it isn't a "typical" Class I area such as other Class I areas within the region – i.e. Seney National Wildlife Refuge in Michigan and Rainbow Lake Wilderness in Bayfield County, Wisconsin. Therefore, the WDNR was required by the USEPA to revise its State Implementation Plan (SIP) to include the FCPC unique Class I area.

The revision process required that the State make a ruling on the how the details of air pollution permitting would be carried out that enable FCPC Air Program staff to be aware of such permit applications for new pollution sources when they came in, and be able to participate in the permitting discussions between the State and the Source. The rule was drafted over a 2 year period with a team consisting of staff from the WDNR and FCPC air and legal departments and professional contractors. The rule was proposed in June 2010, after which 2 comments were received, one from Wisconsin Paper Council (WPC) and one from the Wisconsin Manufacturer's and Commerce (WMC) questioning the distance from FCPC parcels.

The final rule, with clarifications to WMC and WPC's concerns was approved by the State Legislature in late August and the MOU accompanying the rule was signed by FCPC Chairman Gus Frank And WDNR Secretary Matthew Frank on October 7, 2010.

The packet that includes the proposed changes to the State's SIP is now ready for submittal to the USEPA for approval. It is anticipated that the proposed SIP changes will meet little resistance from the USEPA and should be approved, finalizing the Class I redesignation with the state of Wisconsin.

Treatment In The Same Manner As A State (TAS)

The final application for Treatment In The Same Manner As A State (TAS) under the Clean Air Act (CAA) was approved on September 30, 2010, 15 months after being submitted to the USEPA. The new status provides authorization from the federal government for a number of things, including a reduced matching funds requirement on the federal air quality grant; the right to receive and comment on state issued air pollution permits, specifically for renewal of permits for existing sources within 50 miles of the Reservation; and the right to review and comment on air pollution permits issued in neighboring states whose emission sources may be adding to the degradation of air quality on the FCPC Reservation, resulting in non-attainment of the federal National Ambient Air Quality Standards (NAAQS).

Threats to Air Monitoring Station Evaded – Cell Tower Proposed Location Changed

The FCPC air program received notice in mid-March that plans were in the works to site a 345 foot telecommunications tower on County property located directly adjacent to the FCPC Air Monitoring Station.

Rules and guidelines require that the area around the air monitoring site be free of obstructions. The general rule of thumb is that an object or obstruction be at least two times its height away from the samplers/collectors. The proposed tower location at Potawatomi Trail and Tower Road would not have allowed the adequate distance required by the federal monitoring regulations and in addition, would have posed a visual impact to cultural sites located within $\frac{3}{4}$ mile of the tower. The FCPC legal worked with the Telecommunications provider and alternative location sites were sought.

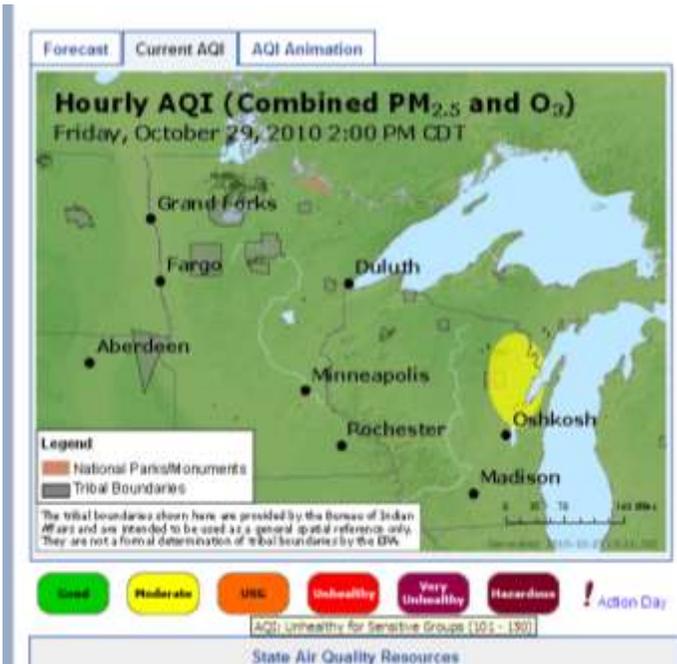
Air Quality Forecasting Available Soon on FCPC Webpage.

With the new upgraded FCPC webpage, the Natural Resources Department page will have a new look and will include lots of information on what the programs are doing, as well as links to important sites, including USEPA's AirNow page.



The USEPA has developed an air quality evaluation and forecasting system that allows the public determine if the quality of the air in their area is healthy on any particular day, or if they should refrain from outdoor activity, particularly if an individual's health is already compromised by breathing or heart conditions. This system is called the Air Quality Index and it rates air quality in an area by evaluating real-time data from air quality monitors located across the country, **including at the FCPC air monitoring site**, and posts it online for anyone to see.

The system uses ozone data and data from particulate samplers that measure the amount and size of airborne particles. While ozone levels tend to be higher in warm summer months, particulate levels are often high in cold winter months when there is a lot of wood burning activity and stagnant air masses, allowing particles to accumulate in an area.



Air Quality Index (AQI) Values	Levels of Health Concern	Colors
When the AQI is in this range:	...air quality conditions are:	...as symbolized by this color:
0-50	Good	Green
51-100	Moderate	Yellow
101-150	Unhealthy for Sensitive Groups	Orange
151-200	Unhealthy	Red
201-300	Very Unhealthy	Purple
301-500	Hazardous	Maroon

The FCPC air monitoring site has had an ozone analyzer since 2004 that runs continuously, 24 hours a day. The data is downloaded from the FCPC site every hour by phone to the WDNR where the information is used to determine air quality in this region and to forecast air quality.

The particulate sampler currently operating at the FCPC site samples the air only one day for 24 hours, once every 6 days, and then the filters are sent to the lab for analysis. This makes using the particulate data impossible to use for assessing current air quality or for forecasting. As of January of 2011, the FCPC air monitoring program will be adding a continuous particulate sampler that will sample for particulate matter 24 hours a day, 365 days of the year, and will enable the Tribe to contribute fully to the AQI system with both real-time ozone and particulate sampling.

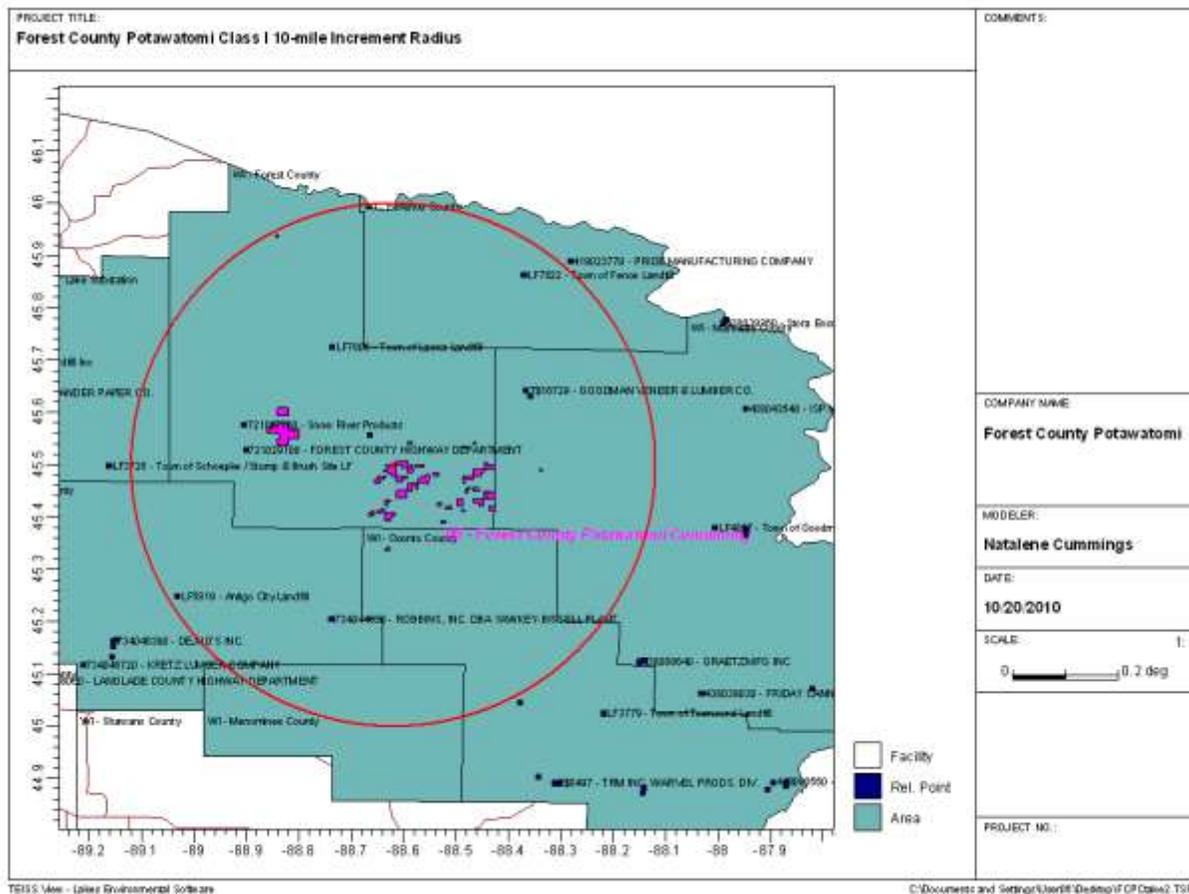
Elevated levels of pollutant, ozone or particulates (fine particles) make it especially difficult to breathe, especially for individuals whose respiratory systems are already compromised, or who suffer from heart conditions. In the near future, the air program plans to erect AQI flags at the Stone Lake Government campus and in Carter that will display the AQI color for the day. With the AQI link on the upgraded FCPC webpage, and the AQI flags on display within the Community, individuals will be better informed of air quality conditions within the region and when to take measures to limit exposure to higher pollutant levels when needed.

Meetings/Training

EMISSIONS INVENTORY TRAINING

The Air Program Director attended ITEP (Institute for Tribal Environmental Professionals) course on how to use their Tribal Emission's Inventory Software. Emission Inventories are essential for anyone managing air quality. By assessing the sources both on the Reservation and off, knowing where the source is located in relation to dominate weather patterns and

having a fair estimation of the amount of any one pollutant that is being released by the various pollution sources, managers have a better idea of which sources may have the greatest impacts and work towards minimizing them. For instance, if while conducting an emissions inventory it becomes apparent that particulate is the most prevalent pollutant and that the biggest contributor of particulate pollution in the area is burn barrels, greater effort can be put towards trying to reduce the number burn barrels being used through outreach and education programs and through regulation if the problem is serious enough. The Tribal Emissions Inventory Software assists in conducting inventories by containing all of the conversion factors necessary



to estimate emissions both from a facility (a point sources) and from a non-point sources such as dirt roads. It also allows for creating maps and graphs that provide visual interpretations of pollution sources and potential impacts. Plans to being the inventory are set for January of 2011 with the goal of completing this huge effort by December of the same year.

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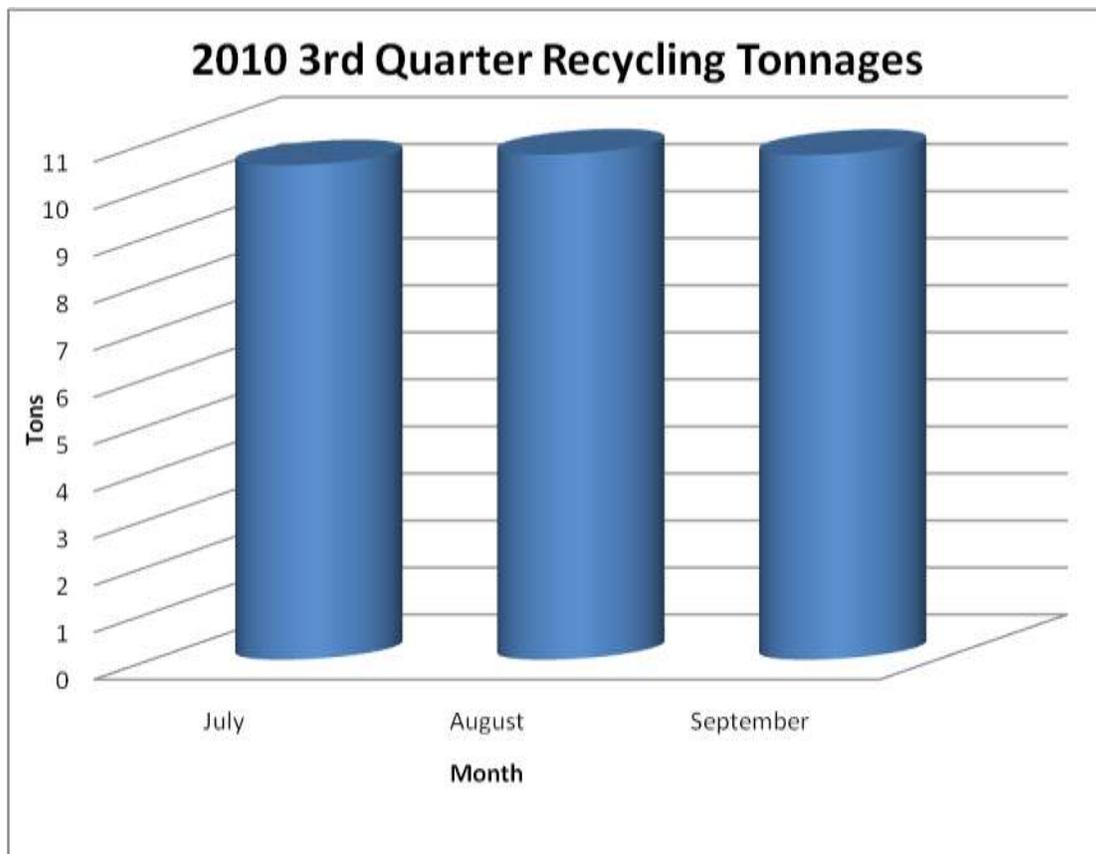


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RECYCLING

How Much is Getting Recycled

A total of 32 tons of recyclables were processed in the third quarter of 2010. During the third quarter of 2009, 37.9 tons of material was recycled.



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WHAT'S NEW AT SOLID WASTE?

Solid Waste Improvements

The Solid Waste Program accepted bids from three contractors for the improvement of the solid waste facility. Flannery Contracting was awarded the contract for the improvements. The improvements included an expansion of the unimproved area west of the building and the installation of fencing. The area west of the building was cut down to the same grade as the rest of the lot and then it was graveled and compacted. The result is a very stable surface for placement of the municipal solid waste and recycling dumpsters. Fencing was then installed around the improved area to help prevent nuisance animals such as bears from getting into the garbage dumpsters and removing the bagged garbage, tearing open the bags and spreading the garbage out over large areas.



Open Dumps Cleanup

The Solid Waste Program also accepted bids from three contractors for the cleanup the four illegal open dumps present on Reservation lands. Once again Flannery Contracting was awarded the contract for the cleanup. This resulted in the removal of approximately 650 cubic yards of waste debris from the dumps, two of which were located in the Stone Lake area and two located on Indian Market Road in the town of Wabeno, WI. The origin of the dumps can be traced back to time before the creation of the Solid Waste Program when there was no satisfactory way for people to dispose of their garbage. It was simply dumped in convenient, out of the way places that people had access to. The creation of the Solid Waste Program, which provides curb-side pickup of trash on the Reservation, eliminated the need for people to create open dumps to dispose of household trash.



Open Dump Site before Cleanup



Open Dump Site after Cleanup

Waste Stream Report

The Solid Waste Program processed a total of 73.97 tons of municipal solid waste during the third quarter of 2010. This tonnage is slightly down from 80.24 tons processed in the third quarter of 2009.

