



FOR IMMEDIATE RELEASE
November 15, 2012

MEDIA CONTACTS
Jerome Clark | 928.637.5603
Carmenlita Chief | 928.255.3428
nnlb.communications@gmail.com

Resources and Development Committee approves two legislations proposing storage tank delivery prohibition regulations and cleanup standards

WINDOW ROCK – Last week, the Resources and Development Committee unanimously passed two bodies of environmental legislation that, pending President Ben Shelly’s approval, will elevate the level of protection for Diné people and the environment with the promulgation of delivery prohibition regulations and soil and water clean-up standards when it comes to storage tanks on the Navajo Nation.

Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) sponsored Legislation No. 0426-12 and Legislation No. 0427-12 at a regular RDC meeting on Nov. 7 in the Navajo Nation Council Chambers.

Legislation No. 0426-12, which pertains to the approval of the Delivery Prohibition Regulations under the Navajo Nation Storage Tank Act, was passed by the committee with a vote of 5-0 in favor of the approval.

The delivery prohibition regulations prohibit anyone from depositing or receiving petroleum or any other hazardous substances into a storage tank on the Navajo Nation when the owner or operator of the tank is not in compliance with the NNSTA or NNSTA regulations.

According to the proposed regulations, red tags will be affixed to tanks of owners and/or operators that are not in compliance with the NNSTA, and can only be removed when the violation has been corrected.

The tags serve to alert the public that no deliveries may be made to such tanks. The red tag procedure is a common method of enforcing the prohibition, states the Navajo Nation Storage Tank Program.

The committee also passed Legislation 0427-12, approving the Navajo Nation Leaking Storage Tank Soil and Water Cleanup Standards with a vote of 5-0 in favor. Fuel dispensing sites across the Navajo Nation, which includes both operating and abandoned stations, will be addressed through the standards when there has been a release of product into the ground.

The Navajo Nation Environmental Protection Agency will use the standards to prescribe the level of cleanup required when contamination has been detected from leaking storage tanks.

The soil and groundwater cleanup standards are necessary to protect drinking water because 50 percent of abandoned, leaking, and operating storage tank sites pose a threat to shallow fresh groundwater sources on the Nation, said Henry Haven, a geologist with the NNEPA’s Leaking Underground Storage Tank Program.

Currently, the Navajo Nation does not have any soil and groundwater cleanup standards, which was why Delegate Smith pushed for the legislation’s passage in an effort to secure regulated protection of the Nation’s scare resource – water.

“With their passage of the proposed storage tank delivery prohibition regulations and contamination clean-up standards, the Resources and Development Committee acted to amplify protection of the environment and the precious resources upon which our Diné people are reliant upon for survival and cultural purposes,” said Delegate Smith.

The Navajo Nation Storage Tank Act was passed by the Navajo Nation Council in 1988, and was subsequently amended earlier this year in January to include aboveground storage tanks.

###