

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL

**(Authorizing the expenditure of \$17,500 Self-Determination Act
(25 U.S.C. 450 et seq.) Contract with the Secretary of the Interior for
the Purposes of Removing the highest priority abandoned Underground
Storage Tanks (USTs) on the Tohono O'odham Nation and
Remediation of Leaking Underground Storage Tank (LUST) Sites)**

RESOLUTION NO. 96-459

**WHEREAS, the Tohono O'odham Legislative Council (Council) approved the
Submittal of a Self-Determination Act Contract to the Secretary of
the Interior for the Purpose of Acquiring Scientific and Technical
Advice to Assist the Nation Monitor the Plan Decommissioning and
Environmental Remediation at the Minerec Mining Company Facility
located in the San Xavier District with Resolution No. 95-458; and**

**WHEREAS, the Chairman also submitted letters to the BIA requesting funding
for solid waste, UST management, and the clean-up of petroleum
contaminated soils at Vaya Chin; and**

**WHEREAS, the Nation has received notice that the BIA had allocated \$35,000
from the Solid and Hazardous Waste Clean-up Fund for Minerec and
UST management; and**

**WHEREAS, in a meeting with the Chairman on August 22, 1996, the Chairman
of the Nation designated that \$17,500 of the funding to be used for
Minerec and \$17,500 to be used for the removal and disposal of**

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abandoned USTs and the clean up of LUST sites; and

WHEREAS, the \$35,000 can be obligated under the existing Agreement Between the Secretary of the Interior and the Tohono O'odham Nation approved by Resolution 95-458; and

WHEREAS, the Nation has been given notice by BIA that additional end-of-the-year money of an unknown amount may become available between this date and the end of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the expenditure of \$17,500 on UST management as described in the attachment to this resolution entitled "Report to the Tohono O'odham Legislative Council Regarding Underground Storage Tank (UST) Management".

BE IT FURTHER RESOLVED that the Chairman is authorized to expend any additional FY96 money allocated from BIA for the purpose of removal of USTs and remediation of LUST sites.

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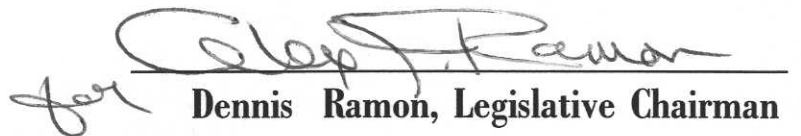
(Authorizing the expenditure of \$17,500 Self-Determination Act (25 U.S.C. 450 et seq.) Contract with the Secretary of the Interior for the Purposes of Removing the highest priority abandoned Underground Storage Tanks (USTs) on the Tohono O'odham Nation and Remediation of Leaking Underground Storage Tank (LUST) Sites)

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BE IT FURTHER RESOLVED that the Chairman is authorized to enter into any and all agreements required to remove the USTs and conduct soil testing and remediation if necessary.

The foregoing Resolution was passed by the Tohono O'Odham Council on the 20TH day of SEPTEMBER, 1996 at a meeting at which a quorum was present with a vote 1,771.0 FOR; -0- AGAINST; -0- NOT VOTING; and 105.0 [05] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(f), of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


for Dennis Ramon, Legislative Chairman

25th day of September, 19 96

ATTEST:


Frances Antone, Legislative Secretary

24th day of September, 19 96

RESOLUTION NO. 96-459

(Authorizing the expenditure of \$17,500 Self-Determination Act (25 U.S.C. 450 et seq.) Contract with the Secretary of the Interior for the Purposes of Removing the highest priority abandoned Underground Storage Tanks (USTs) on the Tohono O'odham Nation and Remediation of Leaking Underground Storage Tank (LUST) Sites)

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 25th day of September, 1996 at 12:12 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


for **Dennis Ramon, Legislative Chairman**

APPROVED

on the 30th day of September, 1996

DISAPPROVED

at 11:52 o'clock, A.M.



EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

RESOLUTION NO. 96-459

(Authorizing the expenditure of \$17,500 Self-Determination Act (25 U.S.C. 450 et seq.) Contract with the Secretary of the Interior for the Purposes of Removing the highest priority abandoned Underground Storage Tanks (USTs) on the Tohono O'odham Nation and Remediation of Leaking Underground Storage Tank (LUST) Sites)

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Returned to the Legislative Secretary on the 30th day of

September, 1996, at 12:18 o'clock, P.M.

Francis Antone
Francis Antone, Legislative Secretary

ACTION: AUTHORIZING THE EXPENDITURE OF \$17,500 SELF-DETERMINATION ACT (25 U.S.C. 450 ET SEQ.) CONTRACT WITH THE SECRETARY OF THE INTERIOR FOR THE PURPOSES OF REMOVING THE HIGHEST PRIORITY ABANDONED UNDERGROUND STORAGE TANKS (USTs) ON THE TOHONO O'ODHAM NATION AND REMEDIATION OF LEAKING UNDERGROUND STORAGE TANK (LUST) SITES

MOVED: VICE CHAIRMAN ALEX J. RAMON

SECOND: COUNCILMAN TONY BURRELL

DATE: SEPTEMBER 20, 1996

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|--|----------------|----------------|------------|------------|----------------------|
| SIF OIDAK 160.0 | 1. MARY ANN ANTONE (Nellie Miguel) | 80.0 | X | | | |
| | 2. RITA MARTINEZ (Maxine Norris) | 80.0 | X | | | |
| SELLS 314.0 | 1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.) | 157.0 | X | | | X |
| | 2. LUCILLE ENCINAS (Cynthia Chico) | 157.0 | X | | | |
| SCHUK TOAK 117.0 | 1. KENNETH J. ANTONE () | 58.5 | X | | | X |
| | 2. JOSEPH JUAN () | 58.5 | X | | | |
| SAN XAVIER 142.0 | 1. DENNIS RAMON () | 71.0 | X | | | |
| | 2. TONY BURRELL () | 71.0 | X | | | |
| BABOQUIVARI 257.0 | 1. EDWARD KISTO (Idella Stanley) | 128.5 | X | | | |
| | 2. FRANCES MIGUEL ** (Kenneth Chico, Sr.) | 128.5 | X | | | |
| GU ACHI 187.0 | 1. WILLARD ANITA (Louis Johnson) | 93.5 | X | | | |
| | 2. ALEX J. RAMON (Marian Johnson) | 93.5 | X | | | |
| PISINEMO 135.0 | 1. JOHNSON JOSE (Roseleen Antone) | 67.5 | X | | | |
| | 2. BARBARA SALVICIO () | 67.5 | X | | | |
| SAN LUCY 105.0 | 1. ALBERT MANUEL, JR. () | 52.5 | | | | X |
| | 2. JOHN RENO (Mary Hoffman) | 52.5 | | | | X |
| GU VO 134.0 | 1. GLORIA MONTANA () | 67.0 | X | | | |
| | 2. FERN SALCIDO (Larry Montana) | 67.0 | X | | | |
| HICKIWAN 142.0 | 1. LLOYD FRANCISCO () | 71.0 | X | | | |
| | 2. ALEX JOSE () | 71.0 | X | | | X |
| CHUKUT KUK 183.0 | 1. KENNETH WILLIAMS () | 91.5 | X | | | |
| | 2. DAVID GARCIA (Marvin Thomas) | 91.5 | X | | | |
| TOTAL | | 1,876.0 | 1,771.0 | -0- | -0- | 105.0 [05] |

****PASSED VOICES**