

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

- WHEREAS,** Cibecue Council Member Judy Dehose has advised the Tribal Council that there is a serious drinking water problem at the Cibecue Community School in that the presence of rust from iron deterioration exceeds the EPA Secondary Maximum Contaminant Level for safe drinking water; and
- WHEREAS,** Cibecue Community School Principal Raymond Birner has filed a water quality complaint with the Department of Health and Human Services, IHS Indian Hospital Whiteriver, that the water supply, community water system EPA No. 0000049 appears to be contaminated with rust particles; and
- WHEREAS,** rust debris in drinking water may pose an unnecessary health risk to the teachers and students attending the Cibecue School and may also damage physical plant operations; and
- WHEREAS,** the Bureau of Indian Affairs, Fort Apache Agency, is responsible for the operation and maintenance of the Cibecue School water system and must maintain the school system in accordance with requirements of the EPA Safe Drinking Water Act (1974); and
- WHEREAS,** the Tribal Council has reviewed the 1987 IHS Environmental Report (attached) which indicates that the Bureau of Indian Affairs in 1987 had not tested the water for safe drinking standards since 1983 and that there were various filtration and mechanical problems with the water system; and
- WHEREAS,** the Tribal Council is further advised that the school was to receive a chlorination system but that prior to installation, the chlorinators were removed by the Bureau of Indian Affairs although designated for installation at the Cibecue School; and
- WHEREAS,** Councilmember Judy Dehose further advises that the pump for the water system is corroded, that storage tanks are corroded with rust and that although the Bureau of Indian

Affairs has been advised of the situation and the need for a chlorinator system for the protection of the health of school children and faculty but Principal Birner has been advised by the Bureau that installation of a chlorinator system is not a high priority and will not be installed until 1993; and

WHEREAS, the health of young children who are sensitive and extremely susceptible to heavy metal contamination is in jeopardy from the contamination; and

WHEREAS, the letter from Health and Human Services dated August 21, 1991 to Robert L. Rogers, Facility Management, Fort Apache Agency (attached), remains unanswered and the Bureau has been unresponsive in taking necessary and immediate remedial steps to insure that the heavy metal contaminants and bacterial level of the water do not exceed EPA drinking water standards.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that the IHS Office of Environmental Health immediately conduct a full spectrum test of the drinking water supply for the Cibecue Community School in accordance with the EPA Safe Drinking Water Act, said test should include time sequence, water sampling at the well site, pump site, tank site, and all drinking water outlets in the Cibecue School including bathroom sinks, water fountains and kitchen water supplies in order to determine the level of contamination within and without the school.

BE IT FURTHER RESOLVED by the Tribal Council that it further requests IHS to conduct the water sampling and testing as an emergency measure within three (3) days of receipt of this resolution and to report back to the Office of the Tribal Chairman, Tribal Council and Principal Ray Birner the results of said tests with a recommendation for remedial steps to be taken to insure a safe drinking water supply for the children and faculty at the school, including but not limited to, if necessary, importation of bottled water for drinking purposes and food preparation at BIA expense.

BE IT FURTHER RESOLVED that the Tribal Council calls upon the Fort Apache Agency Facilities Management Division and the Phoenix Area Office Bureau of Indian Affairs to comply with their trust responsibilities and replace as necessary, any and all necessary pumps, storage tanks, drainage tanks, plumbing, filters and to install the chlorination system previously designated for the school

as an emergency priority measure at no cost to the White Mountain Apache Tribe or the Cibecue Community School to insure the safety of students and faculty at the Cibecue Community School.

BE IT FURTHER RESOLVED by the Tribal Council that it requests Agency Superintendent Ben Nuvamsa to advise the Tribal Chairman and Tribal Council what parts of the system must be replaced and what steps the Agency has taken and will take to insure that emergency priority is given to replacement and repair of the system in order to comply with the EPA Safe Drinking Water Act.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes Tribal Chairman Ronnie Lupe and Tribal Council Member Judy Dehose to request assistance from any and all necessary persons and agencies in order to remedy the health safety crisis existing at the Cibecue Community School.

The foregoing resolution was on October 2, 1991, duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (a) and (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council

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FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA