

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 a.m. on Thursday, March 1, 2007, in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Art Griggs, Revisor of Statutes Office
Judy Holliday, Committee Assistant

Conferees appearing before the committee:

Gary Blackburn, Director, Bureau of Environmental Remediation, Kansas Department of Health and Environment
Representative Doug Gatewood
Ella Johnston, Resident of Treece, Kansas
Senator Dwayne Umbarger

Others attending:

See attached list.

Chairman McGinn called the Committee's attention to the minutes of January 18 and 19, and February 16 and 20. She asked that they look them over for approval at the end of the meeting.

The hearing was opened on **HB 2168, Relocation and other assistance for people in communities within a superfund site where substantial infrastructure has been lost**. Chairman McGinn asked Raney Gilliland, Legislative Research Department, to explain the bill's intent. Mr. Gilliland told the Committee that the bill would create a state public trust for what is defined as affected communities specifically located in Cherokee County and within the boundaries of a federal Superfund site. The trust would administer relocation assistance, including moving expenses, and acquire, hold and dispose of property located within those boundaries of the affected community. There would be five trustees of the trust appointed by the Governor serving for four-year terms, subject to Senate confirmation, and the trustees would be real estate and banking officials in the area familiar with the property values. The bill would allow the Department of Health and Environment to make grants to the trust to provide resources for the relocation expenses incurred by individuals in the affected communities. The bill also would provide that school districts impacted by the relocation could receive grants from the trust. Mr. Gilliland was asked if the bill appropriates money, and he replied that the bill itself does not, but there is money in the Governor's Budget from the State General Fund that can be used to match federal money to fund moving expenses for affected individuals. He noted that no federal money is allocated to Kansas for these expenses, but Oklahoma has received federal funds to assist communities affected in that state.

Gary Blackburn, Director, Bureau of Environmental Remediation, Kansas Department of Health and Environment, testified in support of **HB 2168 (Attachment 1)**. Mr. Blackburn explained the intent of the bill was to provide a statutory mechanism for the buyout of the City of Treece in Cherokee County, necessitated by the contamination of the area from lead and zinc mining waste. The City of Treece is just over the state line from Picher, Oklahoma, and the mining waste and possibility of subsidence are the same for both cities.

Mr. Blackburn told the Committee that the buyout can only be successful if federal funding is obtained. He explained that the remediation of the Superfund site will take approximately 10-15 years and the removal of the residents from the area will eliminate the risk of injury due to potential subsidence in the area. Finally, Mr. Blackburn told the Committee that the trust will hold the property until the cleanup is completed and a use for the property can be determined. Mr. Blackburn told the Committee that the chat piles could be hauled off and used to fill in sink holes and in asphalt for road projects.

Representative Doug Gatewood testified before the Committee in support of **HB 2168 (Attachment 2)**. Rep. Gatewood told the Committee that the contamination of the area with lead and silica from 100 years of mining poses real health risks for the residents. He explained that the relocation is a voluntary program for the residents. Rep. Gatewood noted that the mine shafts, some 300-500 ft. deep, were unstable due to the

CONTINUATION SHEET

MINUTES OF THE Senate Natural Resources Committee at 8:30 a.m. on in Room 423-S of the Capitol.

removal of the support columns, and that a number of homes and streets were in danger of cave-ins. He urged the Committee to pass **HB 2168**.

Ella Johnston, a resident of Treece, Kansas, testified in support of **HB 2168 (Attachment 3)**. Mrs. Johnston passed pictures to the Committee that she had taken of cave-ins and the huge piles of chat in the area. She expressed concern for the health of the young children who play and swim in low areas with standing water discolored with the heavy metals. She stated that nothing had been done about contamination in the area and asked the Committee to pass **HB 2168**.

Senator Dwayne Umbarger commented that the Superfund site had been around since the 1980s and Picher, OK, and Treece, KS, were among the last ones for remediation. Senator Umbarger told the Committee that the average house in the affected area is worth about \$10,000, and that there are significant economic development changes needed in that area. He told the Committee that if any money could be leveraged for cleanup, it should be done now, and urged passage of the bill.

Senator Marci Francisco expressed appreciation for the opportunity to go on the Kansas Geological Survey Tour last summer and that it was helpful in knowing the extent of the damage to the area.

Chairman McGinn told the Committee that the bill passed the House unanimously and also on the floor, and that they would work the bill. The hearing on **HB 2168** was closed. Senator Ostmeyer made a motion to move **HB 2168** out of Committee, seconded by Senator Francisco. The motion carried.

There was discussion on **SB 15, Establishing the Kansas dam rehabilitation program to provide cost-share assistance to rehabilitate certain deficient dams**. Chairman McGinn called upon Art Griggs, Revisor of Statutes Office, to give an overview of the dam rehabilitation bill amendments. Mr. Griggs told the Committee that there are a number of political subdivisions on the list, but not government entities. Chairman McGinn asked Senator Huelskamp if his amendments would change the bill, and he stated that he has more questions on the hazardous dams. Chairman McGinn told the Committee she will ask the Senate President for the bill to be re-referred to the Committee for more work.

Chairman McGinn asked if the Committee was ready to approve the minutes brought before the Committee at the beginning of the meeting. Senator Taddiken asked for a correction of the February 16 Committee meeting minutes, and made a motion that the minutes be passed as amended, seconded by Senator Ostmeyer. The motion carried.

Chairman McGinn announced that there would not be a meeting of the Natural Resources Committee on Friday, March 2, but the Subcommittee on CREP will meet after the prayer breakfast and upon adjournment of the Senate.

The meeting adjourned at 9:25 a.m.

SENATE NATURAL RESOURCES COMMITTEE

Guest Roster

March 1, 2007

(Date)

Gary Blackburn	KDHE
Matt Scherer	KPA
CV Cotsoulis	KDA
Hakim Saadi	SCC - Topeka
Kent Askren	KFB
Steve Adams	KDWP
Doug Hesterwood	House
Nannia Holmstrom	RESIDENT TREECE
Illa S Johnston	Resident Treece
Mary Jane Hankiewicz	KGFA
Shirley Streeter	Topeka
John Tim	TOPEKA
Cheneo Hug	TOPEKA
Shane Lyle	KGS
Ambec Mahkota	Topeka
Nadas Green	Topeka
Karla Thomas	Topeka
Logan Bausch	Topeka

Please use black ink only!!



Kathleen Sebelius, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

www.kdheks.gov

**Testimony on House Bill 2168
Act Concerning Relocation of
Communities within Superfund Sites
to
Senate Natural Resources Committee
Presented by Gary Blackburn
Director, Bureau of Environmental Remediation
March 1, 2007**

Chairperson McGinn and members of the Senate Natural Resources Committee, I am pleased to appear before you today in support of House Bill 2168.

This bill has been developed at the request of the citizens of Treece to establish a statutory mechanism to perform a buyout of the small city of Treece located in Cherokee, County. Kansas is seeking federal funding to perform the buyout of Treece, which lies within the boundaries of the Cherokee Co. Superfund site. This bill establishes a trust to manage the federal funds being sought for this buyout. Treece lies immediately north of the city of Picher, OK, which is being bought out by the state of Oklahoma using primarily federal funds. These two small towns are only separated by the state line and are essentially one community. The residents of Treece, KS are impacted by the same issues as those of their neighbors in Picher.

The area is severely depressed and suffers from contamination resulting from past lead and zinc mining which left hazardous mine waste and the risk of subsidence. In addition to these problems, this small community is losing much of its infrastructure that has come from Picher. The bill will allow for the residents of the city of Treece to move to similar properties within the county, outside of the mined areas. The trust will offer property owners within the city of Treece the opportunity to sell their property, to the trust, for a sum of money that will allow them to purchase a similar house elsewhere in the county. Individuals who rent homes or business properties will be allowed one year of rent for a similar property within the county. Moving expenses of between \$1,000 and \$2,000 are allowed.

DIVISION OF ENVIRONMENT
BUREAU of ENVIRONMENTAL REMEDIATION
CURTIS STATE OFFICE BUILDING, 1000 SW JACKSON ST., STE. 410, TOPEKA, KS 66612-1367
Voice 785-296-1660 Fax 785-296-1686 <http://www.kdheks.gov/>

*Senate Natural Resources
March 1, 2007
Attachment 1*

This buyout can only be successful if the \$6,800,000 in federal funds is obtained. KDHE has been informed that the federal funds being sought for this action will require a 10% state match. With the state of the federal budget there is no assurance that the federal funds will be obtained, however; without this legislation the buyout cannot take place.

The residents of the city of Treece have lived within the area of the mine waste for many years. Residents have become concerned about a study of the Picher, OK area conducted by the US Geological Survey indicating a significant risk of subsidence existed within the Picher area. Based on this report, the State of Oklahoma began the buyout process for Picher. Buying out Treece properties will remove the residents who live within the contaminated area, eliminating any exposure that might occur during the future remedial action. The remedial effort, under the Superfund Program, will take between 10 and 15 years to complete. Removal of the residents will eliminate the risk of injury due to the potential for a catastrophic subsidence.

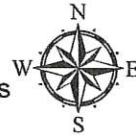
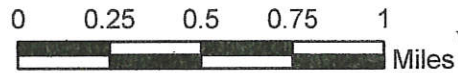
If the buyout is successful, the trust will hold the property until such time as the cleanup design for the area can determine what future use of the property will serve the public good. The nature of the cleanup will limit the future use of the property; however, any future use must not pose a risk to the public or damage the integrity of the Superfund cleanup.

Thank you for the opportunity to appear before the Senate Natural Resources Committee and I will gladly stand for questions the committee may have on this topic.

Mine Wastes Located Around Treece, KS



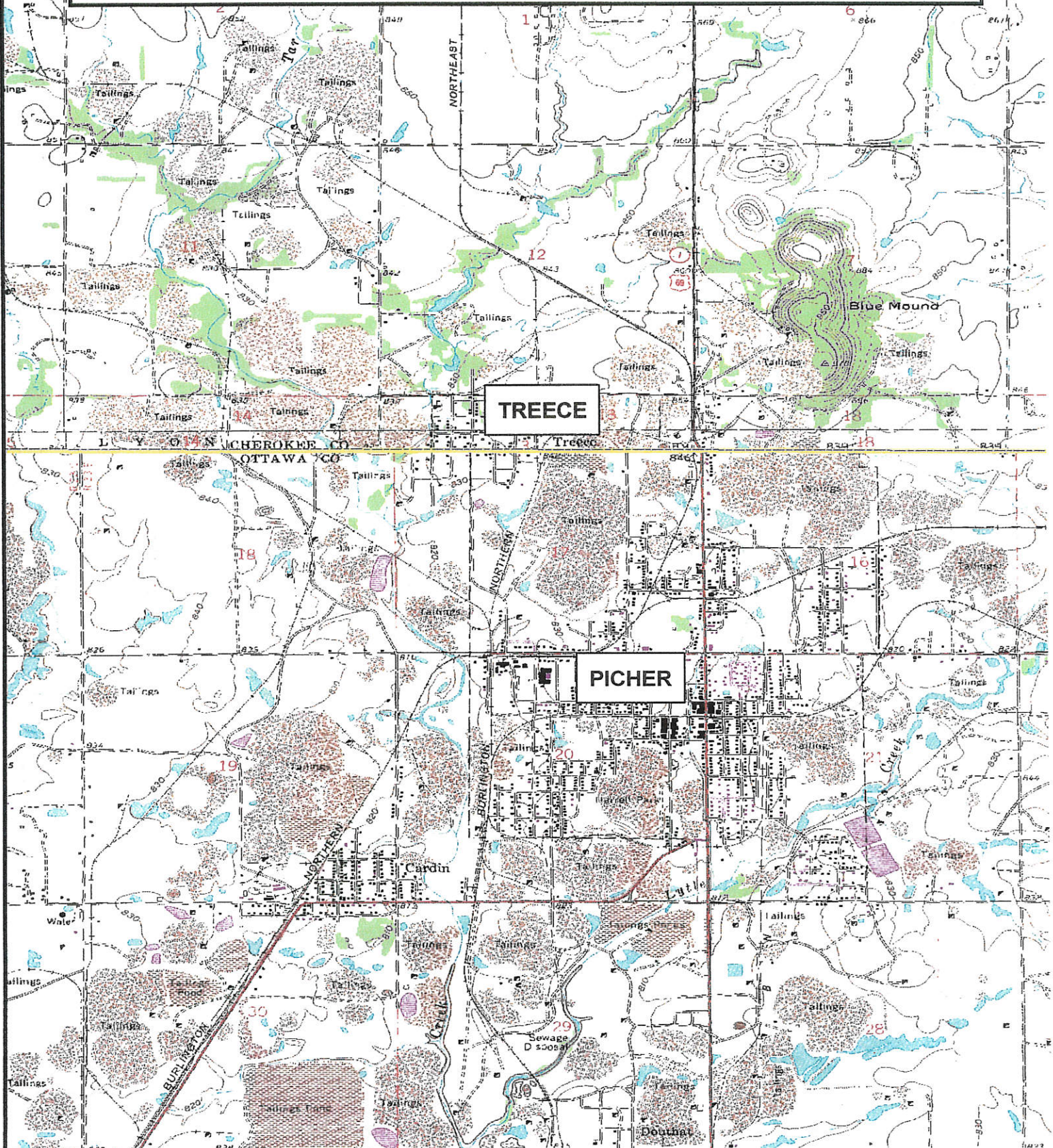
Mine Wastes



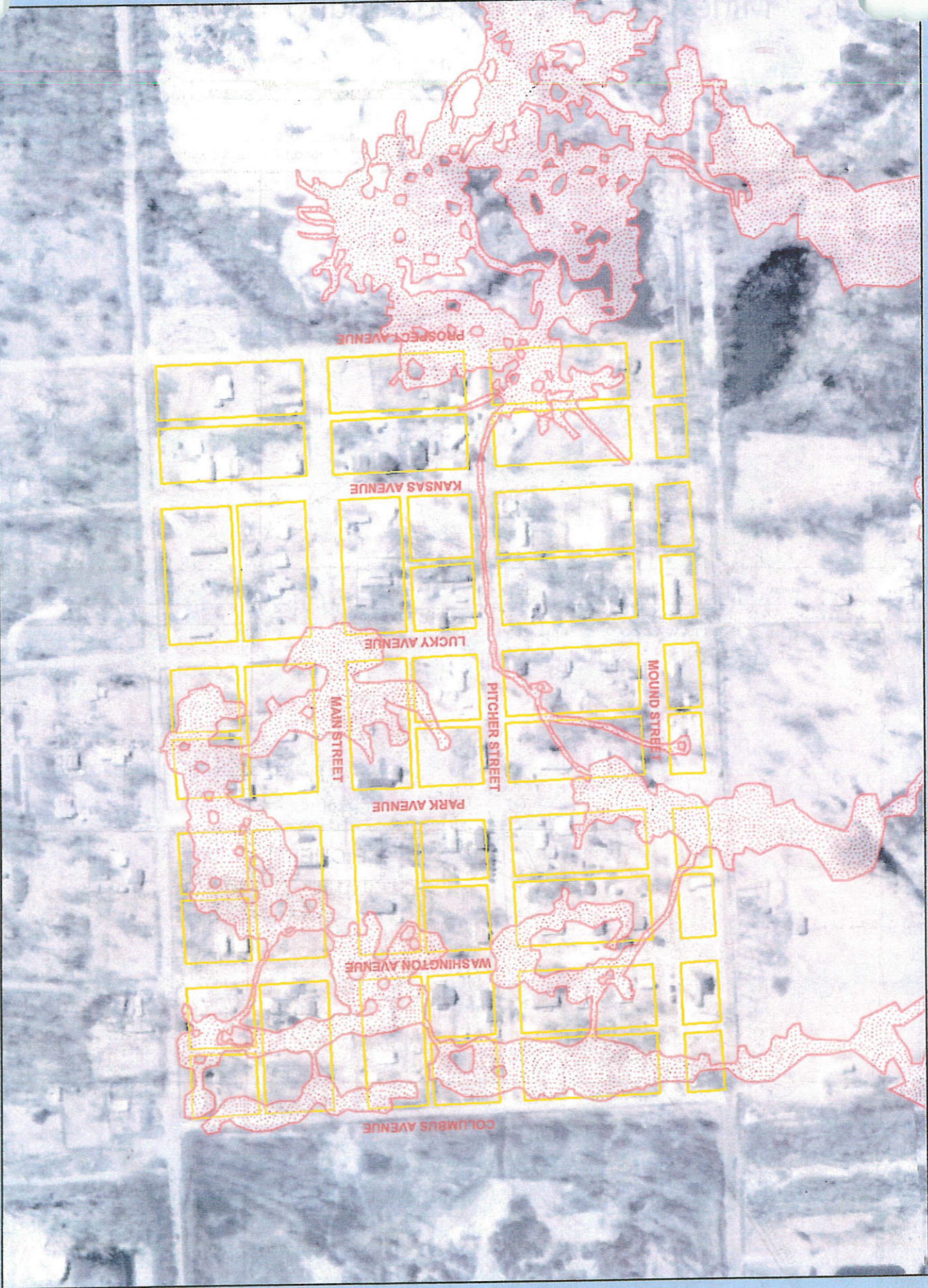
Ch 1562

For planning purposes only. Created January 10, 2007

Orthophotography and Digital Raster Graphics obtained from Kansas Data Access Support Center & Oklahoma Geo Information Systems



CHUBB MINE UNDERGROUND WORKINGS



For KDEH Internal Use only

Legend
[Red Stippled Box] underground workings
[Yellow Box] parcels

HB 2168

Senate Natural Resources Committee
March 1, 2007

Madam Chair and Committee Members:

Thank you for allowing me to testify in support of House Bill 2168. This bill would create a trust for the purpose of a voluntary relocation program for the citizens of Treece and water customers of Treece and Picher.

Treece is located in the Tri State Mining district in the Tar Creek area. The tri-state mining district is an area in Southeast Kansas, Southwest Missouri and Northeast Oklahoma that was mined for lead, zinc and cadmium from 1870 to 1970. The 100 years of mining have damaged the environment so badly in the tar creek area that even after \$150 million have been spent on superfund cleanup the area remains contaminated from silica dust, lead content in soil and water and high underground caverns that pose serious cave-in threats. In the past year there have been at least three subsidence in the area, two in Kansas and one just across the border in Oklahoma.

The state of Oklahoma and U.S. Senator James Inhoff recognized the health and welfare risks in this area and developed a program to relocate citizens of the affected area in Oklahoma. This buyout and relocation is in progress and the city of Picher, Oklahoma is in its final days. Stores are closing, only one fuel station remains and it is not restocking shelves that once contained staple goods such as bread, chips and soft drinks. Instead, those who are left hope they have enough gas to drive to Columbus, Baxter or Miami, Oklahoma to get groceries or fuel after the station closes early in the evening.

In your folders are copies of a resolution requesting assistance from the Treece city council as well as other information and photos of some of the sink holes and contaminated areas. Also in your packet is a copy of deeds to property within Treece.

These deeds refer to the lots within the city as part of the original plat of Picher, OK, now part of Treece, KS. The only thing separating Treece and Picher is the state line road.

The mine shafts, drift and rooms below know not where that road, that separates Kansas and Oklahoma is. There are numerous vent tubes, plugged shafts and sink holes in Treece and the immediate area.

When the prevalent winds from the southwest blows it blows dust contaminated with silica over the city of Treece.

*Senate Natural Resources
March 1, 2007
Attachment 2
Rep. Doug Gatewood*

When you look at the surface waters in the area you see the alkaline and rusty appearance and know that water has a heavy metal content that has lead to high autism and cancer rates.

When you see these vent tubes in peoples front yards you know there is a hole below that could open up to swallow you and all of your belongings.

Even if and when the area gets cleaned up, Treece will have lost the necessary services supplied by its sister city, Picher. No longer will there be a store to get milk, gas or medicine. How much longer will Picher act as a first responder for emergencies?

Madam Chair and Committee Members, the people of Treece are proud, strong willed Kansans. These residents can not borrow money against their property due to the environmental quagmire, they can not sell the land for anywhere near the replacement costs. The only hope these citizens have to improve the conditions in which they live and the only hope for these citizens to continue to have amenities that have been supplied for so long by their community of interest, Picher, Oklahoma, is for the citizens of the community of Treece to have the same opportunities provided their neighbors in Northeast Oklahoma.

Thank you again for allowing me to testify and I will be glad to stand for questions at the appropriate time.

CITY OF TREECE, KS

COPY

Resolution No G-2006-2

Whereas the City of Treece, Kansas is seperated from Picher, Oklahoma only by the state line road and was originally in the plat of land considered the City of Picher.

Whereas residents share many public and community services making Picher and Treece communities of interest.

Whereas these communities of interest also share concerns created by lead and zinc mining contamination and undermining.

Whereas the city of Picher is included in the Tar Creek Superfund program that will be the determining factor in the ultimate outcome of Treece.

Whereas land values have been severely impacted by the environmental concerns broughtforth in the United States Geological Survey and Superfund Designation.

We, the Treece City Council support efforts to include extending the designated superfund area to include, but not limited to, the city of Treece, Kansas, in order to protect the health and welfare of the citizens of the entire community of interest.

Whereas the city of Treece also supplies water to members of the community outside the city limits.

Adopted March 13, 2006

Bill Blunk

Mayor Bill Blunk

Pamela Rowen
City Clerk,

CITY OF TREECE

SEAL

CHEROKEE COUNTY, KS

Judy Blunk

Jessalmer

Ralph Austin

Lydia

Treece, Kansas

Ads by Google

Back to [Kansas](#), [KS smaller cities](#), [KS small cities](#), [All Cities](#).

[Moving to Leavenworth KS?](#)

Apartments - Houses - Town Homes
Wide selection w/ 24/7 maintenance

We are giving away \$1000 in prizes - enter simply by sending us your own city pictures!

[Click here for promotion details and to upload your Treece, Kansas photos](#)

[Google Maps for mobile](#)

Maps, listings & satellite imagery. Download to your phone for free.

[Current weather forecast for Treece, KS](#)

Population (year 2000): 149. Estimated population in July 2005: 144 (-3.4% change)
Males: 73 (49.0%), Females: 76 (51.0%)

[Foreclosures in Kansas](#)

Buy Foreclosed Homes from \$10K in KS. See Listings for 1 Week for \$1!

[Cherokee County](#)

Zip code: [66778](#)

[Real Estate Tulsa OK](#)

Find great Local Real Estate Deals
Map Search Towns by State

Median resident age: 36.9 years
Median household income: \$22,500 (year 2000)
Median house value: \$9,999 (year 2000)

[Kansas Homes for Sale](#)

Access MLS listings, new homes, and foreclosures. Free to use.

[Treece, KS residents, houses, and apartments details](#)

[List your B&M business here for free. Over a million visitors/week. Get a huge advantage over your competition](#)

Find City

Races in Treece:

- White Non-Hispanic (85.2%)
- American Indian (12.1%)
- Two or more races (4.7%)
- Black (2.0%)
- Hispanic (0.7%)



Recent posts about [Treece, Kansas on our local forum](#) with tens of thousands registered users:



[Schools In Treece Kansas-1945](#) (1 reply)

Latest news from Treece, KS collected exclusively by city-data.com from local newspapers, TV, and radio stations

[NWAnews.com Northwest Arkansas' News Source](#)

Maddison Treece, a senior color guard member, agreed. They are very much like parents, she said. ([nwanews.com](#))

[The DAILY REPORT for October 2, 2006 emporiagazette.com](#)

Laquia S. Treece, no address, obstruct legal process (false name), Friday.
([emporiagazette.com](#))

[Coffeyville Journal \(Coffeyville, Kan.\) - Former Coffeyville mayor Arthur Treece passes away](#)

Former Coffeyville mayor Arthur Treece died Sept. 30, but left behind a history of service to his community. ([cjournal.com](#))

Ancestries: German (15.4%), United States (12.8%), Irish (10.7%), Dutch (9.4%), English (2.7%), Norwegian (1.3%).

Elevation: 840 feet

Land area: 0.1 square miles

For population 25 years and over in Treece

- High school or higher: 53.8%
- Bachelor's degree or higher: 0.0%
- Graduate or professional degree: 0.0%
- Unemployed: 8.5%
- Mean travel time to work: 16.6 minutes

For population 15 years and over in Treece city

- Never married: 23.5%
- Now married: 46.2%
- Separated: 3.4%
- Widowed: 10.9%
- Divorced: 16.0%

3.4% Foreign born (3.4% Asia).

Population change in the 1990s: -22 (-12.9%).


Ads by Google

[Kansas Homes for Sale](#) - Access MLS listings, new homes, and foreclosures. Free to use.
([www.homegain.com](#))

[Moving to Leavenworth KS?](#) - Apartments - Houses - Town Homes Wide selection w/ 24/7 maintenance
([www.GreenamyreRentals.com](#))

[Ottawa Kansas](#) - Photos, Customer Ratings & Reviews. Save on Trips to Ottawa, KS ([www.Expedia.com](#))

Nearest city with pop. 50,000+: [Fayetteville, AR](#)  (79.3 miles ↘, pop. 58,047).

Nearest city with pop. 200,000+: [Tulsa, OK](#)  (96.2 miles ↙, pop. 393,049).

Nearest city with pop. 1,000,000+: [Dallas, TX](#)  (319.7 miles ↙, pop. 1,188,580).

Scared for life: Treece, Kan. seeks buyout, closing of town

In 1870 on a farm called the Cook Forty in Galena, Kan. a valuable discovery was made when "black jack", or zinc ore, was found. The ore, a product of millions of years of geological activity, ignited a mining boom that would last for the next 100 years and cover the corners of the states of Kansas, Missouri and Oklahoma. The mines provided the livelihoods for many during those years but in turn they left behind a legacy of pollution and environmental degradation that is unrivaled anywhere in the United States.

Over the years the mining activity in what was known as the Tri State Mining District produced 50 percent of the zinc and 10 percent of the lead in the United

States. Production in the mining fields peaked between the years of 1918 and 1941 when there were 11,000 miners and possibly three times that many support personnel working in the area. Over the life of the district, 23 million tons of zinc concentrates

and four million tons of lead concentrates were produced. The Kansas side of the district alone produced 2.9 million tons of zinc and 650 thousand tons of lead valued at \$436 million and \$91 million respectively.

The depth of the ore varied across the district, being shallower in the east and deeper to the west. On the Kansas and Oklahoma

sides of the district the common method used to extract the valuable minerals from the ground was the room and pillar method. This method involved mining room shaped areas while leaving a similar sized area in place for

were extended up leaving inadequate support in place.

The rock layers below the surface of the ground where the zinc ore was found were also water-bearing formations. Keeping water levels down in the mines

The mines provided the livelihoods for many during those years but in turn they left behind a legacy of pollution and environmental degradation that is unrivaled anywhere in the United States.

support. Room walls were commonly 25 to 100 feet high and pillars 20 to 50 feet thick. This method left what appeared to be a honeycombed area below the local

require up to 63 pumping plants operating 24 hours per day. In 1947 there were more than 36 million gallons of water pumped from the mines daily.



*Bob Kirby
Tech Assistant*



This image reflects what can happen to undermined areas where inadequate support is left in place. The cities of Treece, Kan. and Picher, Okla. are both in danger of experiencing subsidence such as this in residential areas of the communities.

communities in the district. As the mines played out over the years the support walls that were left in place began to be mined out to turn more profit or room walls

After World War II production in the Tri State Mining district began to decline. The decline continued until 1970 when the last active mine, located two miles

west of Baxter Springs, was shut down. The one hundred year boom had finally gone bust. After the mines shut down the pumps that allowed the subterranean areas to stay dry were shut off, effectively

filling the underground voids with huge quantities of water.

In the years following the closure of the mines problems began to present themselves to the people still living in the area.

Mines that had their support pillars mined out to extract the last bit of profitable ore began to collapse, leaving huge craters open above the ground and in some instances causing injury or even death. The vast underground water supplies filling the voids began to seep out. In the time the water was underground, it picked up iron sulfide from material left in the mine walls and was acidic in addition to being laden with toxic heavy metals. Upon reaching the surface, the water

would run red, further polluting area wells and surface water supplies. The tailing piles or "chat piles" would produce lead laden dust when the wind blew.

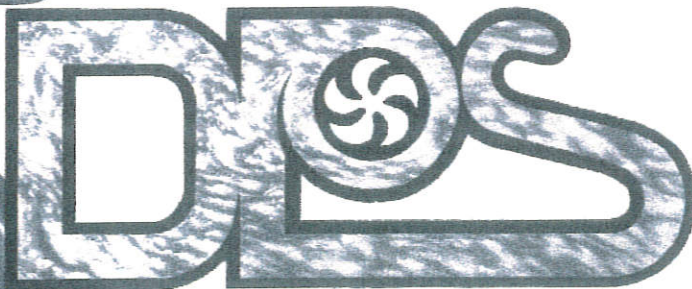
As the years passed these problems continued to grow in magnitude. In 1979 a delegation of federal legislators expressed the concerns of their constituents in the Tri State Mining District to other members of Congress. Congressmen Whitaker of Kansas, Taylor of Missouri and Synar of Oklahoma requested that the U.S. Bureau of Mines look into the situation and present their recommendations.

In 1981 the United States Environmental Protection Agency became involved, designating the Tri State Mining District as the Tar Creek Superfund Site. In the ensuing years and after numerous studies, remedial actions were taken to abate the health hazards associated with the mine waste. The actions included capping of open shafts, plugging abandoned wells, removal and covering of waste material with compost and residential soil removal and replacement. A more recent step to protect the lives and welfare of



City Hall in Treece, Kan. stands on ground that may be heavily undermined due to past mining practices. The city is seeking inclusion into the buyout program offered by Sen. Jim Inhofe, R-Oklahoma. Kansas State Representative Doug Gatewood, D-Columbus, is coordinating state action to get Treece included.

COMPLETE PUMP AND MECHANICAL SERVICE



Douglas Pump Service

Emergency Service
Complete Machine Shop
Metallizing - Shafts and Sleeves
Balancing and Vibration Analysis
All Types of Pump Repair
Blowers and Mixers
Deep Well Service

tel. 913 236 8222 fax 913 262 8992
4719 Merriam Drive Overland Park, Kansas 66204

people living in the area has been voluntary buyouts for families with children under the age of six years. Over the years EPA has spent an estimated \$150 million to remediate the area.

While remedial action did have some effect overall on the health and welfare of residents living in the area, many hazards were still

The city council in Treece, Kan., which is just across the state line from Picher, Okla., has passed a resolution seeking inclusion into the buyout program offered to their Oklahoma neighbors.

present. One of those problems presented itself in the form of a cave-in along U.S. Highway 69 that runs through the small town of Picher, Okla. While the cave-in did not shut the highway down entirely it did limit the weight of vehicles using the road daily. The subsidence of the highway brought an awareness of problems that still existed under ground. In 2004

the United States Corps of Army Engineers undertook a study to determine the extent of the underground caverns and the potential problems they presented to the health of local residents and property in the area.

On January 31, 2006 the results of the USACE study were released. The results indicated problems exceeding what were originally anticipated. After the release of the study some residential portions of Picher were evacuated due to fears of imminent collapse.

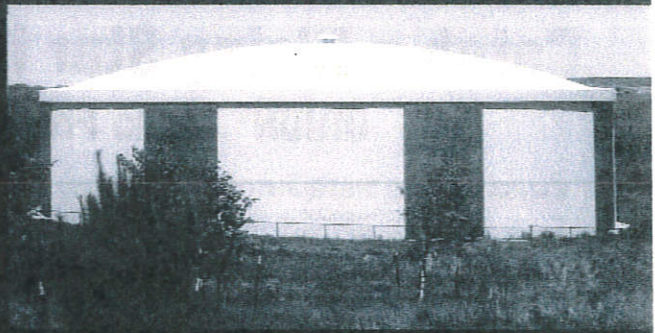
In May, United States Senator Jim Inhofe, R-Oklahoma, issued a statement regarding the situation, "Historically, the EPA has held the



A "chat pile" overlooks the Tar Creek Superfund Site in northern Ottawa County in northeast Oklahoma. The piles are a common site on the landscape blowing dust contaminated with lead over broad portions of the area.

BEAUTY IS IN THE EYE OF THE BEHOLDER WHO DOESN'T HAVE TO PAY TO MAINTAIN IT

The great thing about a Natgun water storage tank is once you put it in service it stays in service. For decades. Without interruption. You don't maintain it. You don't repaint it. You don't worry about it. Heck, you don't even have to cut the grass if you don't want to.



NATGUN
PRECAST, PRESTRESSED, PREFERRED

1-800-662-8486 OR SALES@NATGUN.COM HEADQUARTERS IN WAKEFIELD, MA
REGIONAL OFFICES IN BALTIMORE, MD; CHICAGO, IL; COLUMBUS, OH;
DALLAS, TX; HOUSTON, TX; KANSAS CITY, MO; SYRACUSE, NY
SHOWN: A 6.0 MG WIRE-WOUND PRESTRESSED
CONCRETE TANK FOR THE CITY OF OLATHE, KS
ENGINEERING BY BURNS & MCDONNELL ENGINEERING COMPANY

position that their goal is remediation of Tar Creek, but they now recognize that circumstances have changed dramatically and require rethinking of how best to deal with the issues. We believe that the final EPA remedy for Tar Creek should begin with a buyout of the remaining residents.”

Recently Senator Inhofe announced plans for voluntary buyout of Picher and Cardin residents using \$20 million of Oklahoma state and federal funds with the homes in danger from mine subsidence to be first on the list.

The city council in Treece, Kan., which is just across the state line from Picher, Okla., has passed a resolution seeking inclusion into the buyout program offered to their Oklahoma neighbors. Both communities have similar problems with pollution and undermining. The problem with getting Treece included in the buyout lies in the fact that Treece, Kan. lies in US EPA Region 7 while Picher, Okla. lies in US EPA

Region 6. This sounds like a good example of bureaucrats “at work” to me. According to some residents, Treece, Kan. was actually in Oklahoma until a survey moved the state line south.

Kansas Governor Kathleen Sebelius has requested a federal appropriation in response to concerns from residents in the area. In April, State Representative Doug Gatewood, D-Columbus, said he would coordinate the state effort to obtain a federal appropriation for a buyout of the former mining community of Treece. Representative Gatewood has met with Kansas' federal legislators including Senators Roberts and Brownback and Representative Ryun to discuss concerns of residents in the area

and seek the community's inclusion in the buyout program.

With the future of their community still uncertain, Treece residents move forward with their lives in the hope that someday they can be free of the legacy of pollution that has scarred the landscape of their corner of Kansas.



These old pillars stand watch over a wasteland that at one time provided a living to as many as 44,000 people.

Catch a Rising Star in RF Technology.

ORION® Radio Frequency System

KANSAS SALES DISTRIBUTOR

Christopher Herndon
Midwest Meter, Inc.
1004 Regency Court
Kearney, MO 64060
816-516-4209 cell
816-628-1234 office
Topherrh@aol.com
www.Midwest-Meter.com

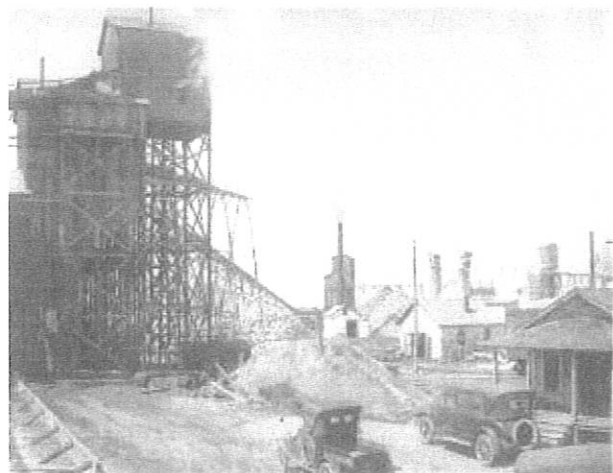
DIRECT SALES

Robert Repschleger - Account Manager
Badger Meter, Inc.
800-876-3837, Ext. 7008
rrepschleger@badgermeter.com

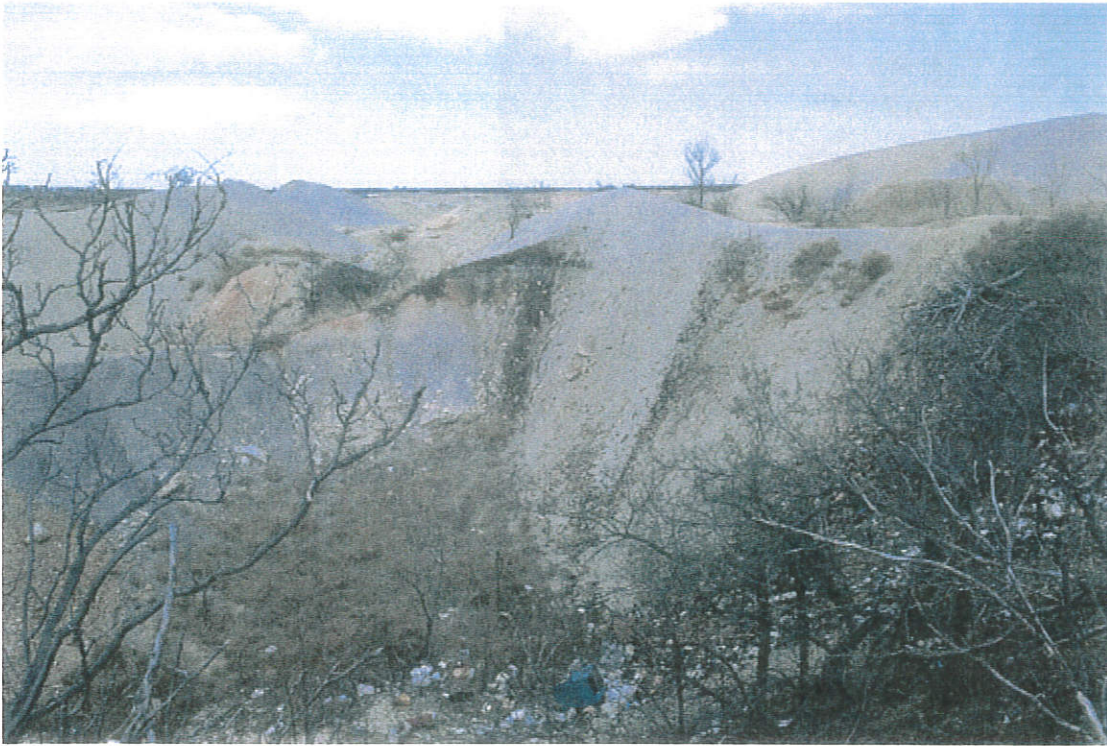
DISTRIBUTOR SALES

Jim Plahn - Distributor Manager
Badger Meter, Inc.
800-876-3837, Ext. 7006
jplahn@badgermeter.com



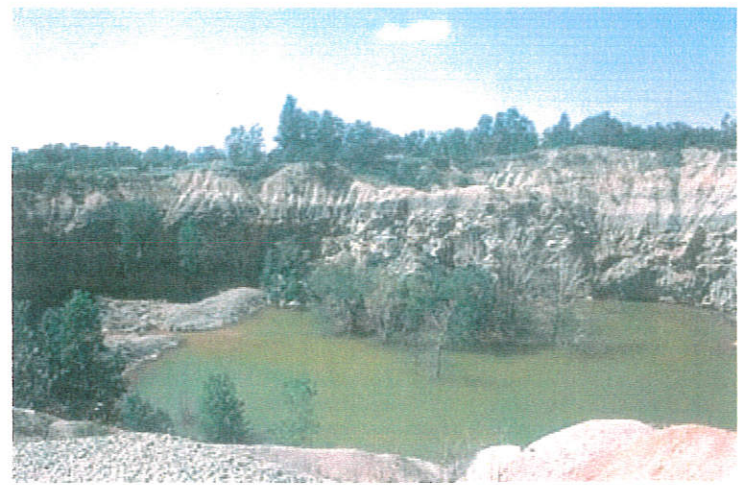






2-12







2-15

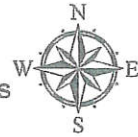
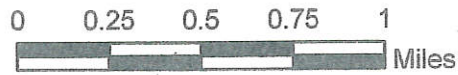
1/26/2007



Mine Wastes Located Around Treece, KS



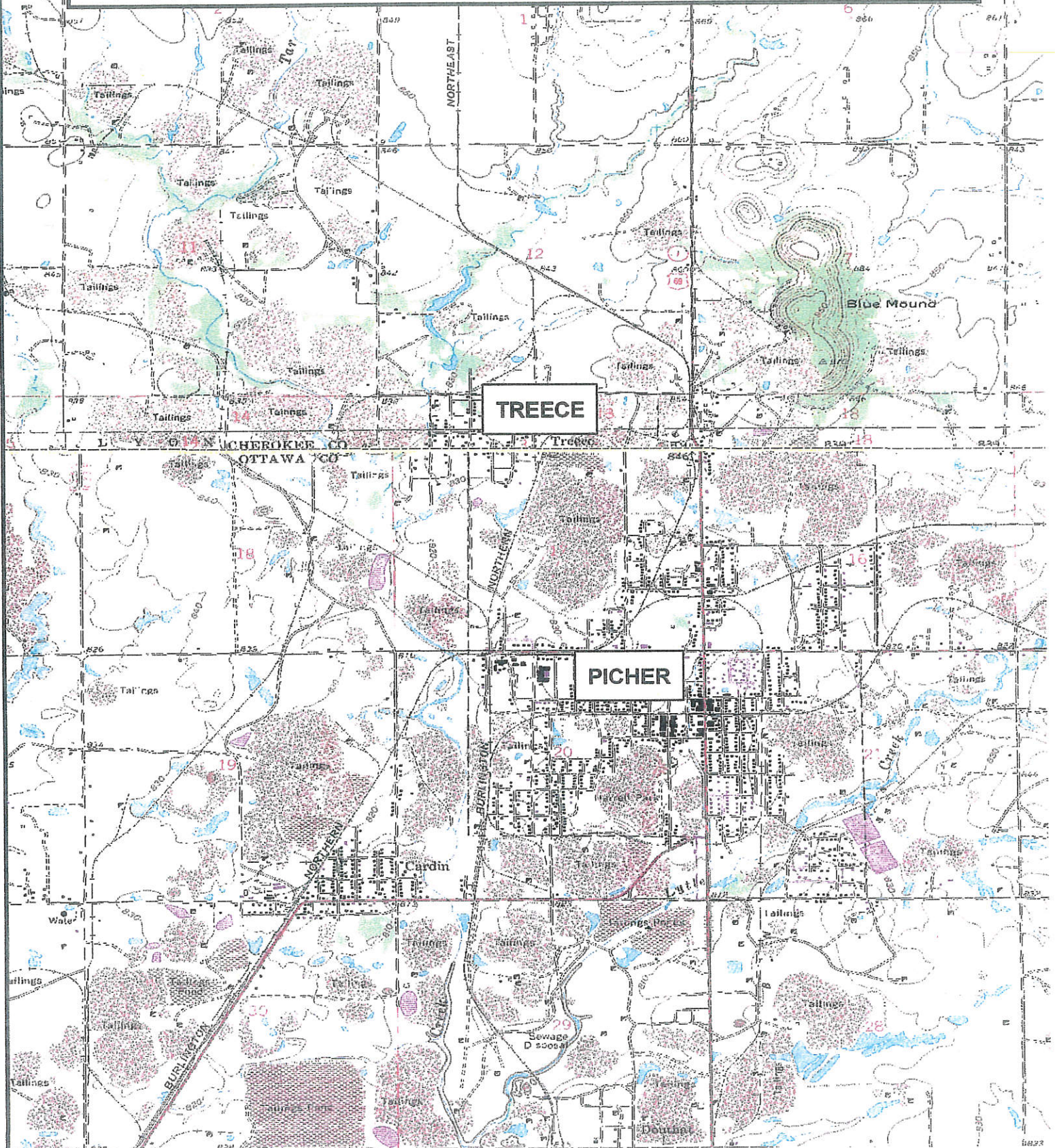
Mine Wastes



Ch 1563

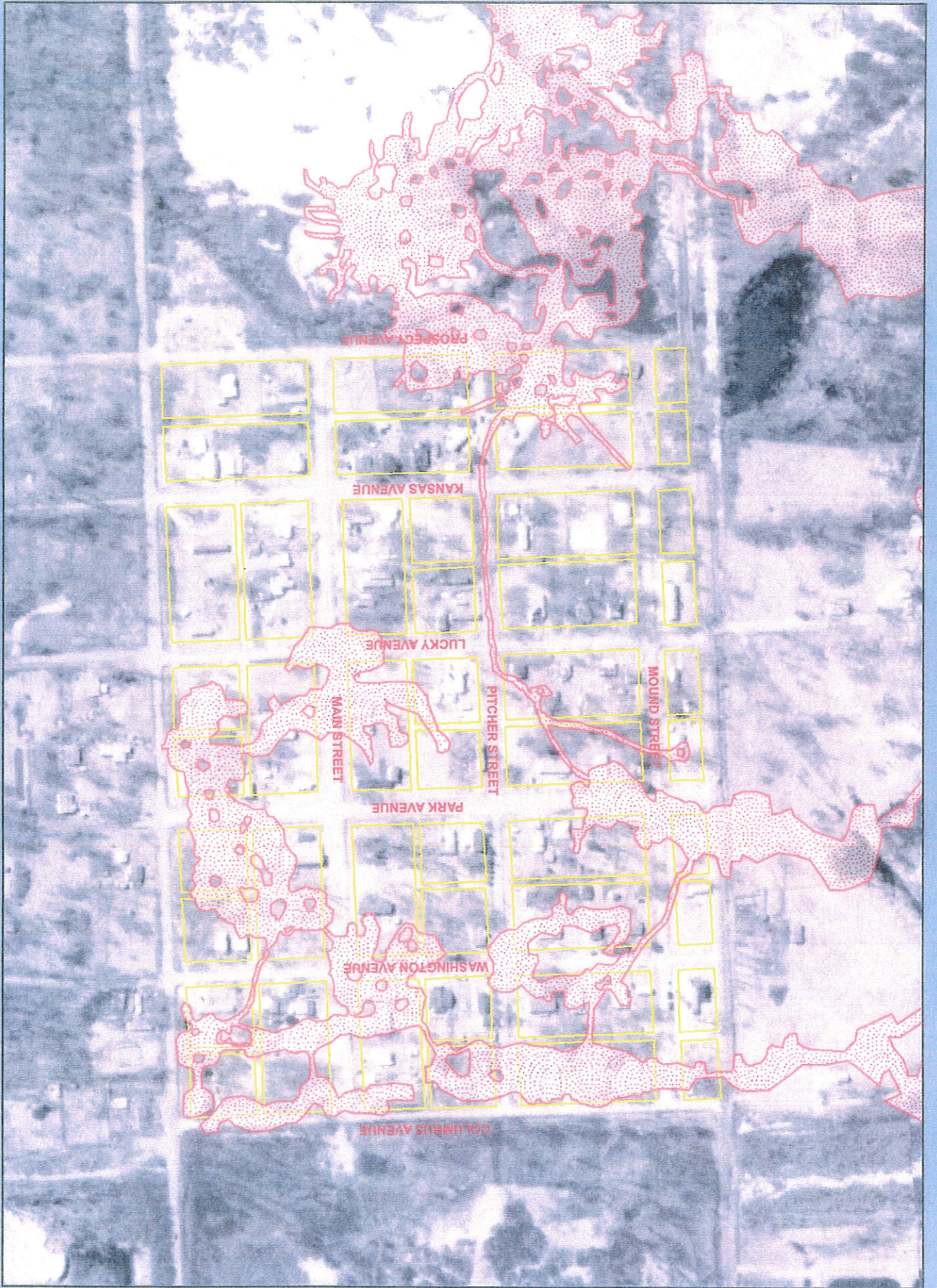
For planning purposes only. Created January 10, 2007

Orthophotography and Digital Raster Graphics obtained from Kansas Data Access Support Center & Oklahoma Geo Information Systems







CHUBB MINE UNDERGROUND WORKINGS



DHE internal use only



Legend
 parcels
 underground workings

Quit-Claim Deed

ORIGINAL COMPARED WITH RECORD

THIS INDENTURE, made this 9th day of July A. D., 1987,

between Wilma June North

of Ottawa County, State of Oklahoma, party of the first part,

and Pam & David Pruitt

_____ party of the second part.

WITNESSETH, That said party of the first part, in consideration of the sum of
Three Thousand

_____ DOLLARS

to her duly paid, the receipt whereof is hereby acknowledged, does hereby quit-claim, grant, bargain, sell and convey unto the said party of the second part, and to her heirs and assigns forever, all her right, title, interest and estate, both at law and in equity, of, in and to, the follow-

ing described real estate, situated in the County of Cherokee

Kansas
State of ~~OKlahoma~~ to-wit: _____

Lots Seven (7) and Eight (8), in Block Eight (8), in
the Original Plat of the Town of Picher (Now Treece),
according to the recorded plat thereof, EXCEPT MINERAL
RESERVATIONS of record and mining rights running therewith

State of Kansas Cherokee County, ss

This instrument was filed for record on

31 day of Oct A.D. 1988

9:45 o'clock A M. and duly recorded

Book 221 Page 474 Fee \$ 5.00

Gregory Westermelt

Register of Deeds

COPIES

INDEXED

RECORDED

NUMERICAL

Filed in Transfer Record in

Book to this 31st

day of Oct A.D.

1988

Maurice Soper

County Clerk

Together with all and singular the hereditaments and appurtenances thereunto belonging. TO HAVE AND TO HOLD the above granted premises unto the said party of the second part their heirs and assigns forever.

In Witness Whereof, The said party of the first part has hereunto set her hand the day and year above written.

Wilma J. North

the Original Plat of the Town of Picher (Now Treece)
according to the recorded plat thereof, EXCEPT MINERAL
RESERVATIONS of record and mining rights running therewith

State of Kansas Cherokee County, ss
This instrument was filed for record on

31 day of Oct A.D. 1988

9:45 o'clock A.M. and duly recorded

Book 227 Page 474 Fee \$ 5.00

Gudrey Westermuth
Register of Deeds

TR 71

31st
Oct
88
Maurice Saper
County Clerk

Together with all and singular the hereditaments and appurtenances thereunto belonging,
TO HAVE AND TO HOLD the above granted premises unto the said party of the second part their
heirs and assigns forever.

In Witness Whereof, The said party of the first part has hereunto set her hand
the day and year above written.

Wilma J. North

STATE OF OKLAHOMA,

County of Ottawa } ss.

(Oklahoma Form of Acknowledgment)

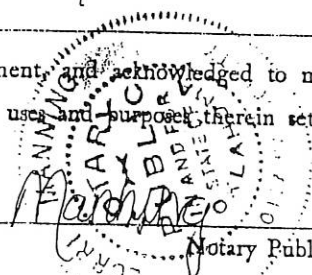
Before me, the undersigned, a Notary Public, in and for said County and State, on this 31st day of
July, 1987, personally appeared Wilma June North
and Pamela Sue Pruitt

to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that
she executed the same as a free and voluntary act and deed for the use and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

My commission expires November 1, 1990

Joni Harshbarger
Notary Public
Book 295 - P 2



Treece, Ks.

ORIGINAL COMPARED WITH RECORD

Pursuant to K.S.A. 79-1437e a real estate validation questionnaire is not required due to Exception No. (complete if applicable).

#005814
Reserved for Register of Deeds
236-13-0-20-18-004,00-0

KANSAS JOINT TENANCY WARRANTY DEED

On this 19th day of July, 1996, Freddie E. Blunk and Diana Blunk, husband and wife, CONVEY AND WARRANT to Billy G. Blunk and Judy G. Blunk, husband and wife, as JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, all of the following-described real estate in Cherokee County, Kansas:

Lot Sixteen (16) and Seventeen (17), in Block Thirteen (13) in the Original Plat to the Town of Picher (Now Treece) according to the recorded plat thereof; and

All of Lots Thirteen (13), Fourteen (14) and Fifteen (15) in Block Thirteen (13) Original Plat of Picher, now Treece, Cherokee County, Kansas;

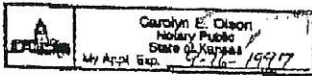
for the sum of ONE DOLLAR AND OTHER GOOD CONSIDERATION

SUBJECT TO: RECORDED INTERESTS ONLY.

Freddie E. Blunk
Freddie E. Blunk
Diana L. Blunk
Diana Blunk

STATE OF KANSAS)
) SS:
CHEROKEE COUNTY)

This instrument was acknowledged before me on the 19th day of July, 1996, by Freddie E. Blunk and Diana Blunk, husband and wife.



Carolyn E. Olson
Notary Public

(SEAL)
My appointment expires:



Entered in Transfer Record in my office this 22nd day of July A.D. 1996
Maurice J. Jones
County Clerk

State of Kansas Cherokee County, ss
This instrument was filed for record on the 22 day of JULY A.D. 19 96
at 10:45 o'clock A. M. and duly recorded in Book 238 Page 279 Fee \$ 6.00
Carolyn M. Kee
Register of Deeds

435 Kansas Avenue
Treece KS 66778

729

JOINT TENANCY QUITCLAIM DEED

P-217-2TW

Copy Center of Topple, Inc., Topeka, Ks, 66601

#006738
COPIED FROM
DIRECT
INDIRECT
NUMERICAL
ORIGINAL COMPARED WITH RECORD

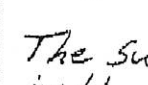
236-13-0-20-18-006.00-0

Entered in Transfer Record in my office this 29th day of Sept 18 97
Monaide Seaba County Clerk

STATE OF KANSAS, CHEROKEE County

This instrument was filed for record on the 29th day of September 18 97 at 1:00 o'clock P. M. and duly recorded in Book 241 of Deeds at page 801
Carolyn McKee Registrar of Deeds
By: [Signature] Deputy

FEES
Registrar of Deeds for recording, \$ 7.00
County Clerk for recording, \$
Total \$



THIS INDENTURE, Made this 12 day of Sept. 18 97, between Beverly S. Schoenhals and Lloyd W. Schoenhals Husband and wife of Cherokee County, in the State of Kansas as first party, and Billy G. Blunk and Judy G. Blunk Husband and wife of Cherokee County, in the State of Kansas as joint tenants with the right of survivorship and not as tenants in common, as second parties,

WITNESSETH, That said first party, in consideration of the sum of and 100 DOLLARS, the receipt of which is hereby acknowledged, do by these presents CONVEY AND QUITCLAIM unto said second parties all the following described REAL ESTATE, situated in the County of Cherokee and State of KANSAS to wit:

The Surface ONLY of Lot Eighteen (18) in Block thirteen (13) in the original plat of Pickler (now Trece) according to the recorded plat thereof.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, forever, as joint tenants, the survivor to take the whole estate.
IN WITNESS WHEREOF, said first party be hereunto set hand, the day and year first above written.

Beverly Sue Schoenhals
Lloyd W. Schoenhals

STATE OF KANSAS, COUNTY, KS.
BE IT REMEMBERED, That on this 12 day of Sept. 18 97, before me, the Judy North undersigned, a NOTARY Public in and for the County and State aforesaid, came

Beverly Sue Schoenhals and Lloyd W. Schoenhals Husband and wife who personally known to me to be the same person who executed the above deed, and duly acknowledged the execution of the same.
IN TESTIMONY WHEREOF, I have herunto set my hand and affixed my official seal on the day and year last above written.
Judy North Notary Public
My commission expires Nov. 23 2000



435 Kansas Trece, Ks. 68778

601

1-23-07

Miami News-Record

Buyout funds closer to coffer

By Krista Duhon
The News-Record

The Federal Highway Administration has agreed to release an estimated \$8.5 million to be used in the buyout of some Tar Creek Superfund site residents.

The money is part of the estimated \$20 million that U.S. Sen. Inhofe indicated would be redirected to the buyout from the Oklahoma Plan for Tar Creek.

The \$20 million was to come from

appropriations held by the Federal Environmental Protection Agency, the Federal Highway Administration and the U.S. Army Corps of Engineers.

Federal legislation led by Inhofe paved the way for more than \$6 million in EPA funds to be released last year.

"We were very pleased to learn this week that the Federal Highway Administration will be releasing its remaining Oklahoma Plan funds to the State for use in the buyout project, and we

appreciate the continued work of Senator Inhofe to secure funding for this important effort," said J.D. Strong chief of staff for the state secretary of the environment. "Now that the approval has been secured, our partners at the Oklahoma Department of Transportation will work with their Washington counterparts to expedite the transfer of this much needed funding into our coffers."

Strong said all that remains now of the unspent Oklahoma Plan dollars is approx-

imately \$3.3 million that is in the hands of the Corps.

"The next step is to secure whatever authorization the Corps needs to release this funding to the State for buyout purposes."

Inhofe had implemented language in the Water Resources Development Act of 2006 that would have allowed for clear transfer of the money, according to state officials.

■ See FUNDS, Page 2

Funds

• From Page 1

However, the WRDA bill died just prior to the close of the 109th Congress.

The legislation would have also allowed the federal Environmental Protection Agency to look at relocation as a remedy for subsidence, according to federal legislators, and opened the doors for the agency to fund the remainder of the buyout.

Ed Keheley, a member of the Lead Impacted Communities Relocation Assistance Trust which is overseeing the buyout project, said today that he is pleased to see the release of funds.

"This should be any type of a slowdown of the buyout at this time," Keheley said. "Hopefully, the Corps of Engineers funding will be released in the near future."

It is not known at this time how many residents will be afforded buyout offer with the estimated \$17 million the trust is expecting to soon have in its coffers.

In the last buyout of families with children age 6 and under, home appraisals averaged \$51,600, according to Keheley.

Trust members anticipate that appraisals in this phase of the buyout are going to be higher.

Keheley said he hopes that, in the very near future, more definite figures of the true cost of the planned buyout will be available.

TOWN & COUNTRY 3A

Monday, March 13, 2006

Treece seeks buyout deal

Picher payments

The state of Oklahoma has paid to relocate 50 families in Picher with small children. A subsequent Army Corps of Engineers report that potential cave-ins of undermined land endanger lives has prompted calls for a more extensive buyout.

Town proposes inclusion in Superfund program

By Roger McKinney
Globe Staff Writer

TREECE, Kan. — Mayor Bill Blunk said he expects easy passage tonight of a resolution seeking Treece's inclusion with Picher, Okla., in the Environmental Protection Agency's Tar Creek Superfund program.

Treece is directly across the state line from Picher. Several Treece residents have said they want the same consideration that Picher receives because the towns have the same mine waste and other problems from past lead mining. Blunk said recently

that he thinks 95 percent of residents would favor a buyout of the town.

The proposed resolution states that Picher and Treece are separated only by a road, and that the two communities share the same concerns about pollution and undermining. It asks that the Superfund area be extended to include Treece and nearby property.

"Our land values went through the floor" because of the situation in Picher, Blunk said.

Blunk said state Rep. Doug Gatewood has said he would be Treece's advocate if the City Council approves the resolution.

Gatewood, D-Columbus, said he plans to meet April 6 in Washington,

D.C., with U.S. Sen. Sam Brownback and a staff member from U.S. Sen. Pat Roberts' office. Gatewood said he would present the resolution and make the case for Treece's inclusion in the Superfund program at that meeting.

Gatewood said Treece residents use many community services in Picher, including churches and stores.

"Treece is an integral part of that community," he said.

Until the border moved in 1918, the town was part of Picher, residents said.

Gatewood said he plans to visit Treece on Sunday to gather testimonial letters from residents to take with him to Washington.

Treece residents want buyout, too

stics
e 2000 census,
on was 149. Per
ome was
edian family
,125. The figures
of residents
overty level, and
nilies with a
ousehold and no
poverty. The
a house in
000.

Grass-roots effort for property buyouts emerging in town

By Roger McKinney
Globe Staff Writer

TREECE, Kan. — The residents of Treece watched as the state of Oklahoma relocated 50 families with young children from Picher, just across the Oklahoma state line.

Now there's talk of more buyouts, and the residents of Treece want to be included.

"We're in the same predicament," said Treece resident Gayla Woodcock. "We want the same consideration that Picher gets."

Treece is a suburb, of sorts, of Picher. Residents said that until the state line was moved in 1918, the town was part of Picher. Many residents say their town's future is tied to that of Picher because their histories are linked.

It is a history of lead mining that left

behind polluted mine waste and undermined property. The state of Oklahoma paid to relocate the 50 families in Picher because of the mine waste in the town. Since then, an Army Corps of Engineers report concluded that properties in a 40-square-mile area are in danger of caving in, placing lives in jeopardy.

"We have the same kinds of problems" as Picher, Woodcock said. "We really feel slighted."

'Door slammed in our face'

A group of activists in Picher has been speaking out for years about conditions there, resulting in the limited buyouts.

Treece Mayor Bill Blunk said it is not as if the people in Treece haven't tried to make their voices heard over the years. Nobody has listened, he said.

See **Treece**, Page 8A



Globe/Amy Weir
State Rep. Doug Gatewood (left) looks over a map with Treece resident Jim Powell (center) and Mayor Bill Blunk at a recent town-hall meeting.

Treece

Continued from Page 1A

Blunk said he first brought conditions in Treece to the attention of an Environmental Protection Agency official at a meeting in Baxter Springs sometime before 2000. He said he and others have approached the EPA and other officials many times since then about conditions in Treece in relation to Picher.

"We have pursued this in the past and had the door slammed in our face," Blunk said.

Dixie Busby said she and other Treece residents travel across the state line to Picher for gasoline and other necessities. She said that if Picher ceases to exist at some point in the future, there will be no reason for people to live in Treece. Some city utilities also are based in Picher.

"That's where we go to buy milk and pop and bread," Busby said.

Treece's only businesses are a mechanic shop and a bar.

"If they don't buy us out, what we've got here is nothing," said resident Larry Hargis.

Residents said they are concerned about lead-tainted dust that blows in the wind. Resident Ella Johnston said she and

other residents are concerned about the possible closing of U.S. Highway 69 Alternate. A weight limit of 12 tons has been placed on the road because of a danger of cave-ins.

Priscilla Peterson, a spokeswoman for the Kansas Department of Transportation, said there is a plan for major work on Highway 69A in the next few years. She said the work would stretch from Columbus to the junction with Highway 166, about two miles north of Treece. She said only routine maintenance is planned for the highway through Treece because of the extensive undermining in the area.

No buyouts planned

Ed Keheley lives near Quapaw, Okla., and has been actively involved with Picher environmental issues for years. He said the people in Treece have valid points.

"This is where politics really enters the picture," Keheley said. "They come under a different state, a different EPA region, different senators and congressmen. It's almost like there's a wall between the states."

Keheley said the environmental pollution and mining-related problems don't recognize the

state border. He said people in Treece are in the same situation as those in Picher.

"There is no border as far as the issues are concerned," he said. "The same companies owned the mines on both sides of the border. I think they have legitimate issues."

He said people in small communities always have trouble getting their voices heard.

The EPA has cleaned up 41 yards in Treece, residents said. Dave Drake, geologist for the Superfund Division of EPA Region 7 based in Kansas City, Kan., said that since the properties were cleaned up, there have been three instances of people moving houses onto mine waste.

"We're not planning on any buyouts in the Treece area," Drake said.

The EPA's five-year review of the Cherokee County Superfund Site calls for removal of all surface mine waste in Treece. Drake said county zoning regulations are needed to restrict new development in Treece.

"Those actions would obviate the need to do any buyout or relocation," he said.

He said Treece doesn't have the volume of mine waste that Picher does.

Treece residents who were told about Drake's comments said that regardless of the amount of waste in Treece, the

dust from Picher's chat piles reaches Treece when the wind blows. They said removing Treece's chat piles would not solve the problem.

State Rep. Doug Gatewood, D-Columbus, met last Friday with about 80 Treece residents. He said the undermining is an issue that affects both Treece and Picher that is not addressed by the EPA plan.

"The undermining has presented a new danger on top of the lead-contaminated soil," Gatewood said.

He said he would take up the cause for Treece residents with state and federal officials if the City Council approves a resolution seeking inclusion in the Tar Creek Superfund area. A proposed resolution to be considered March 13 by the council 13 states in part that Treece and Picher are separated only by State Line Road.

"They actually consider Picher and Treece as a single town, even though they're in different states," Gatewood said.

Treece resident Kathryn Peters said that for most residents, leaving the town behind would not be easy, but it may be necessary.

"We love this community or we wouldn't live here," she said. "If it's going to be dangerous to our health, something ought to be done about it."

Minutes of the special council meeting
Treece, Ks Feb 24th, 2006

Meeting was opened by Mayor Bill Blunk.

Council present were: Jim Powell, Judy Blunk, Teresa Palmer, Larry Hargis, Ralph Huston
City Clerk Pam Pruitt, and Janette Huston Treasurer.

This meeting is for the purpose of giving approval to Doug Gatewood to act as an advocate for the City of Treece, and to also approve Gayla Woodcock as the spokesperson for the resident of Treece regarding their concerns about the Tar Creek superfund site, the contamination of the soil, the unstableness of the ground, and the effects on the City of Treece due to the decisions that are made concerning the City of Picher and surrounding area.

Motion was made to give approval by Judy Blunk, seconded by Teresa Palmer,
All voted in favor. Motion carried 5-0

The floor was given to Mr. Gatewood State Representative.

He told us there was two things he needed from the city to proceed ,

- 1- A spokesperson, which was already appointed.
- 2- A Resolution to propose what the residents would like done.

Mr. Gatewood then asked for questions from the residents that were in attendance.

Some of the concerns voiced were but not limited to:

- A- Sinkholes and ventpipes that were in and around the city.
- B- Unstable ground, and highway . (69)
- C- Health Issues due to lead in soil and ground water.
- D- The impact on the city if they buyout Picher, and the decisions they make concerning it.

After discussion he voiced the issues he wanted addressed as soon as possible;

- A- KDH&E to take a look into the ventpipes and sinkholes around town.
- B- The sinkholes to be fenced off.
- C- He requested residents to write testimonials and send to him.
- D- He will fax us a model resolution to aid in the preparing of ours.
- E- Check into lead testing for the children.

He requested we get the info to him by March 26th.

We greatly appreciate Mr. Gatewoods assistance in this matter.

Motion made to adjourn by Teresa Palmer, seconded by Ralphn Huston.

All voted yes. Mation carried 5-0

CITY OF TREECE
SEAL
CHEROKEE COUNTY, KS

Pamela Pruitt
City Clerk

Testamonial For Ella Jonston And Family

I Am Writing This On Behalf Of My Children And Grandchildren , And For The Health And Safety Of All Children Living In Or Around Treece. I Have Lived Here All My Life And Know First Hand Of All The Dangers Of The Lead And Zinc Mining Fields That Were Abandoned By The Mining Companies And Others . They Were No Plans To Reclaim Any Of The Land. We Have Open Cave-Ins And Shafts That Are Everywhere . The Mine Tailings Or Otherwise Called Gravel Are Contaminated And A Daily Threat To Everyones Health. Our Children Have To Ride The School Buses Across Mined Out Roads And Highways Every School Day. I Have Seen Kids Swim In Cave-ins Filled With Water.

The City Of Treece And Surrounding Areas Need As Much Help As Any Other Places That Are Seen As Unsafe And Health Threating

Sincerly

Ella Johnston



PETROLEUM PRODUCTS

P.O. BOX 367 PICHER, OK. 74360
PHONE: 1-800-656-8415 FAX: 1-620-679-9851

March 10, 2006

Representative Doug Gatewood
Kansas House of Representatives
Kansas State Capitol
300 SW 10th Street
Topeka, Kansas 66612

Honorable Doug Gatewood:

We want to thank you for your interest in our area of Treece, Kansas, and the situation that the community has reference the environmental concerns. The area has many concerns for not only health, but now of more concern are the safety issues. We are aware of your actions through one of employees that volunteered to be on the steering committee for the City of Treece.

We would like to inform you of our concerns from possibly a different aspect, and that being economical due to the unsafe conditions. We are a Kansas Corporation since 1992, with revenue of over \$42,000,000 in 2005. We employ 15 people with a total payroll of \$363,802 in 2006. We have lease drivers of fuel transports in the State of Kansas with a combined income of \$334,673 in 2006.

Since 1996 we have made plans to upgrade our facility located outside the eastern edge of Treece, Kansas city limits. We are located in the State of Kansas on the north boundary line of the state line between Oklahoma and Kansas with Highway 69 on the east side of the property. We have attended meetings with KDOT concerning construction of a "Super Two" highway from Columbus, Kansas to the State Line at our facility. In these meetings, KDOT stated that the curve in the highway at our location would be removed due to the number of accidents at this intersection. We have delayed construction until these the boundaries could be marked due to required distances from highways to fuel storage tanks as required by the Kansas State Fire Marshall. We have now been informed by KDOT that construction of the highway south of the intersection of Highway 69 & 166 will not happen due to the undermining in the area.

The condition of the undermining has Jim Woods Marketing, Inc., looking for another location for our business. We prefer to remain in the State of Kansas, but for the safety of our employees and unable to make capital improvements at our current location are forcing us to look at other locations. We would appreciate any assistance you can give us reference the safety issues involved not only for us, but the community of Treece, Kansas.

Sincerely,

Jim Woods
President

MARCH 14,2006

TO WHOM IT MAY CONCERN;

I AM WRITING CONCERNING THE CONDITIONS OF TREECE KANSAS WHICH, WAS INCLUDED AS PART OF THE ORIGINAL SUPERFUND SIGHT, BUT SOMEHOW IT SEEMS THAT WE HAVE FALLEN THROUGH THE CRACK.

HOPFULLY WE WILL BE CONSIDERED FOR A BUYOUT DUE TO THE UNSAFE CONDITIONS OF OUR TOWN. I AM CONCERNED FOR THE HEALTH AND SAFETY OF CHILDREN AND ADULTS ALIKE WHO ARE LIVING HERE. I FEEL THAT HWY.69 SOUTH OF THE 166 & 69 JCT. IS AS UNSAFE AS THE ONE SOUTH OF PICHER, OKLAHOMA. IT'S LIKE THE STATELINE STOPS ALL DANGERS AND HEALTH ISSUES.

AS A RESIDENT OF TREECE ALL OF MY LIFE UNTIL ONE YEAR AGO, AND STILL OWN PRORERTY HERE AND MY JOB OF TEN YEARS IS HERE . I FEEL WE HAVE ALWAYS DEPENDED ON PICHER, OKLAHOMA FOR ALL OF OUR EMERGENCY PROTECTION SUCH AS FIRE & EMT SERVICES. THEY HAVE ALWAYS BEEN THERE TO TAKE CARE OF THESE NEEDS. TREECE DOES NOT EVEN HAVE 911 SERVICE BECAUSE OUR PHONE SERVICE IS OUT OF OKLAHOMA, SO JUST WHERE DO YOU THINK WE FIT IN?

WHETHER IT BE FEDERAL, STATE OR EPA I THINK WE SHOULD BE CONSIDERED WITH PICHER BUYOUT SINCE THE STATE LINE IS THE ONLY THING THAT SEPERATES US, IT CERTAINLY DOSEN'T STOP THE CAVE-INS AND THE HAZARDOUS HEALTH CONDITIONS THAT HAVE BEEN HERE FOR EVER. I THINK ITS TIME FOR A CHANGE CONCERNING THE HEALTH AND SAFETY OF OUR CHILDREN.**THIS IS JUST A QUOTE FROM ONE OF THE MEN THAT WAS DOING THE GEOLOGICAL SURVEY IN PICHER ." I WOULD NOT SPEND ONE NIGHT IN THIS AREA". BUT WE AS RESIDENTS OF TREECE AND THE SURROUNDING TOWNS DON'T HAVE A CHOICE WITHOUT HELP FROM OUR GOVERNMENT. PLEASE DON'T FORGET YOUR RURAL AMERICA FAMILIES. I WANT TO THANK REPRESENTATIVE DOUG GATEWOOD FOR HIS CONCERNS FOR OUR TOWN.**

SINCERELY,
SHARON GOINS

620-856-3554

resolution

MY RESOLUTION,

I fill as though we should be part of the superfund project like Picher, Okla. Because our ground was mined like Picher's was, our ground is very weak and dry and we have cavein's and mine shafts all around us in every direction you go like Picher does, our ground has high levels of lead and zink the same as Picher does, and a lot of people have breathing problems from all the dust in the dirt and sand and gravel that is all around us. If they do away with Picher, here are some of the ways it will afect the town of Treece Ks.

We go to Picher for gasaline from the convenience stores because it is a lot closer to us then any other town. Our Emergency personel come from Picher(ambulance, fire trucks, Tornado warning horn) because they can get here a lot faster then from anywhere else. Our phone sevice's come out of Picher, without a phone we could not call for help. Our natural Gas comes from Picher, we would have no way to heat our homes. Our cable service's come out of Picher.

We depend on Picher for a lot of things, and without Picher there are a lot of things that we could not have because we live to far away from any other town. We have the same problem's that Picher has. In a way that you look at it, (We are Picher)our town has the same Environmental problems that they have.

THANK YOU!

Della Busby
Lisa Busby
Hailey Busby

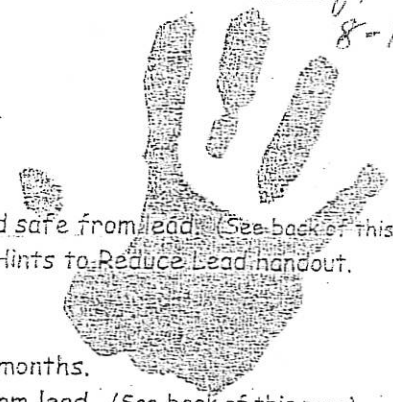
Your Child's Blood Lead Level

Lead can cause damage before any signs show. That's why blood lead tests are so important. Blood lead levels are measured in "micrograms of lead per deciliter" of blood, or "µg/dL."

Child's Name: Hailey Busby Blood lead level 5.0 µg/dL

8-16-05

- Less than 5** No action is taken unless exposure sources change. Continue to test yearly.
- 5-14** Retest within 3 months.
Feed your child a healthy diet and help keep your child safe from lead. (See back of this page)
Reduce lead in your child's environment. See Helpful Hints to Reduce Lead handout.
- 15-19** Confirm with a venous blood lead test within one to 3 months.
Feed your child a healthy diet that will help protect from lead. (See back of this page)
Reduce lead in your child's environment. See Helpful Hints to Reduce Lead handout.
- 20-24** Confirm with a venous blood lead test within 2 weeks.
Feed your child a healthy diet that will help protect from lead. (See back of this page)
Reduce lead in your child's environment. See Helpful Hints to Reduce Lead handout.
- 25-44** Confirm with a venous blood lead test within 1 week.
Take your child for a medical exam.
Feed your child a healthy diet that will help protect from lead. (See back of this page)
Reduce lead in your child's environment. See Helpful Hints to Reduce Lead handout.
- 45-69** Confirm with a venous blood lead test IMMEDIATELY.
Take your child for a complete medical evaluation immediately.
Reduce lead in your child's environment. See Helpful Hints to Reduce Lead handout.
- 70 or above** **A MEDICAL EMERGENCY.**
Get immediate medical treatment.
Contact local health department or the Kansas Childhood Lead Poisoning Prevention Program to identify the lead hazards in your child's environment.



For more information contact:
Your Local Health Department

or

Kansas Childhood Lead Poisoning Prevention Program

1-866-865-3233 Toll Free

lead@kdhe.state.ks.us

www.unleadedks.com

CHEROKEE CO. HEALTH DEPT.

P.O. Box 107, 110 E. Walnut

Columbus, Ks. 66725

620-429-3087

Fax 620-429-3623

TESTAMONIALS
TESTAMONIAL FOR TREECE,KS

MY NAME IS GAYLA WOODCOCK AND I WAS BORN IN OMAHA NEBRASKA, BUT WE MOVED TO THIS AREA WHEN I WAS A SMALL CHILD, I WAS RAISED IN GALENA KANSAS, MY PARENTS BOUGHT A HOME AND THEY WERE NOT AWARE OF THE DANGER WE AS THEIR CHILDREN WERE IN , I PLAYED IN THE CHAT PILES AND HID IN THE SHAFTS, WHAT I'M GETTING TO IS THAT IT WAS NOT ASKED IF I WANTED TO MOVE ON MINED LAND.

WE KNOW THAT IS THE REBUTAL SOME OF GOVERNMENT OFFICIALS ARE ASKING IS WHY WOULD YOU LIVE THERE , WELL WE ARE VERY CLOSE KNIT FAMILIES AND WE LOVE OUR HOMES AND WE LOVE OUR FAMILIES.

WHAT WE ARE ASKING IS WHY WOULD THE FEDERAL GOVERNMENT NOT MAKE THE MINING COMPANIES TAKE RESPONSIBILITY FOR THE CONTAMINATION THEY LEFT BEHIND AND MAKE THIS A BETTER COMMUNITY TO LIVE IN , WE ARE UNDER THE IMPRESSION THAT WE ARE AS IMPORTANT AS ANY OTHER COMMUNITY , SO WHY WOULD IT NOT BE THE MINING COMPANIES RESPONSIBILITY TO BUY OUT THE RESIDENTS OF THE COMMUNITY OF INTEREST.

OUR LAND THAT WE BOUGHT YEARS AGO IS NOT WORTH ANYTHING COMPARED TO WHAT WE GAVE FOR IT, WITH ALL THE NEWSPAPERS AND TELEVISION REPORTING THAT THE LAND IS CONTAMINATED THE BANKS AND ANY OTHER FINANCIAL INSTITUTE WOULD NOT LOAN OR BUY LAND IN THE AREA.

THERE IS A VERY LARGE VOID I BELIEVE

TESTAMONIALS

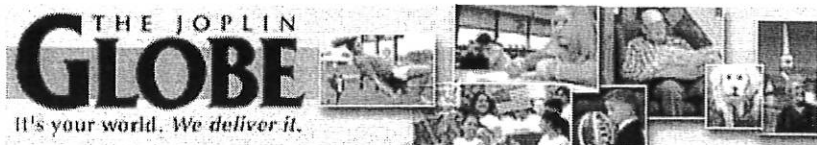
THE REPORT STATES THAT IT IS ABOUT 150 FOOT AND IS LOCATED BETWEEN HWY 166 AND HWY 69 IE, THE STATE LINE RD, WE ARE CONCERNED WITH THE DROUGHT AND THE AMOUNT OF TRAFFIC, THAT THE COMMUNITY OF INTEREST COULD BE IN DANGER OF THIS VOID COLLAPSING, WOULD THIS EVENT WAKE ANYONE UP AND PROVE THAT THIS AREA COULD BE IN TROUBLE.

WE HAVE HEARD LOTS OF RUMORS ABOUT WHAT HAS BEEN DECIDED AND WE ARE CONCERNED THAT LIKE THE OLD SAYING GOES OUT OF SITE OUT OF MIND, WE ARE ALL LOOKING AT THE SAME DEMISE AND WE ALL BELIEVE IF IT WAS YOUR FAMILIES YOU WOULD BE JUST AS CONCERNED.

TODAY IS NOT THE FIRST DAY I WOKE UP WITH THE THOUGHT THAT SOMEDAY MY HOME COULD BE GONE, AND I AM SURE I'M NOT THE ONLY RESIDENT OF THE TAR CREEK SUPERFUND SITE THAT FEELS THAT WAY, WE ARE SCARED THAT WHAT WE HAVE WORKED FOR ALL OUR LIVES WE BE GONE.

WE WOULD LIKE FOR OUR PROPERTIES TO BE SAFE SO WE COULD LIVE HERE IN THIS COMMUNITY BUT WE ARE VERY CONCERNED FOR THE HEALTH AND WELFARE OF THE COMMUNITY, I AM SURE IF IT WAS THE COMMUNITY YOU LIVED IN WE WOULD BE HEARING FROM YOU AS WELL.

Sincerely
Sincerely, Kayla Woodcock
620-679-2904
332 Kansas AVE
Trecee KS 66728



Business casualties climb as Picher takes last gasps

— By Melissa Dunson

mdunson@joplinglobe.com

PICHER, Okla. — It's easier to fight when others stand with you, which is why Susie Stone feels a wave of emotion every morning when she opens the door of her thrift store and sees the empty Dairy-In across the street.

Stone is saddened not only by the closure of the restaurant but also by the last breaths of a dying town — a town she loves.

Doris Long, owner of Betty's Dairy-In, was one of the lucky ones, Stone says. Long was part of the first phase of a government buyout of Picher. The Dairy-In closed Jan. 8 and moved to nearby Commerce.

Dan's General Store closed a couple of months ago. The town's nursing home, Leigh Manor, and the Country Girls' Cafe closed the week before the Dairy-In. The town's main drag is largely quiet, lined with boarded-up windows of empty buildings.

Besides Stone's store, all that's left are a pharmacy, a bank, a post office and a funeral home.

The Picher Express, a small convenience store, is hanging on, but John Sparkman, head of the Picher Housing Authority, said he expects it will be the next to go.

The buyout follows decades of efforts by state and federal environmental officials to clean up the former lead and zinc mining community. The end came when the Army Corps of Engineers found that many of the town's homes, businesses, churches and roads are endangered by the possibility of mine cave-ins.

Stone is waiting her turn at Susie's Thrifts and Gifts. She said she is losing money every day she stays open. She said she has been seeing three to five customers a day, for a profit of \$10 to \$15. Visitors have to reach farther back on the shelves to find merchandise. Stone has been in business since 1983, with a location in Picher since 1985. Some months, her books are in the red, she said; other months, she squeaks by with a \$500 profit.

Sparkman, with the Picher Housing Authority, is a native who has been present for every turn in the town's struggle, but he said he's still surprised by how quickly the last chapter has come. Picher, which now has about 1,600 residents, will be a ghost town in less than two years, he figures.

"It's all over," Sparkman said. "There's no activity. Connell and Main (streets) both had businesses when I was growing up, but once we were declared a Superfund site, it all started going down."

Stone said everything she has is invested in her store, and she has no choice but to stay open. Yet, she also said she cannot wait years, and even hanging on for a few months may be rough.

"We're looking at months — we can't hold on that long," Stone said. "Businesses can't sustain if people aren't there. There's nothing left to do.

"I don't know how to let go without drowning, and I don't know how to hold on and not drown. You think, 'How will I keep fighting till they tell me I can't anymore, until I'm bought out?'"

Sparkman said he believes an empty business district is inevitable. Staying open is draining business owners' savings, and the ever-decreasing population isn't large enough to sustain even the handful of businesses that are left.

The situation was tough for small businesses in Picher even before the town and much of the surrounding area were rated one of the most polluted sites in the country. Sparkman said the last of the mines shut down in 1970; the freight lines stopped running only a few years later; and another blow came with the closing of the B.F. Goodrich plant in 1986 in nearby Miami.

Big-box stores in neighboring communities proved too much for small grocers in Picher. Sparkman said there used to be four different stores, and all have been closed since the 1990s.

Joe Tyree used to run the old Dairy-In in Picher, and he has continued to live in the town even after his health forced him to sell the business. He said he remembers the business as "thriving" when the town had 15,000 to 20,000 residents. Like Stone, Tyree said he's just waiting to be bought out. Until then, he can only watch as

the place where he raised his children disappears before his eyes.

"We'll have to move," Tyree said. "There won't be any utilities, I'm sure, because it will be too expensive to run it out here for just a couple of people. I don't have any idea what we're going to do. We can't do nothing right now. We're just living on our Social Security."

As she waits and tries to stay open as long as possible, Stone said there are days when she cannot hold back the tears. Yet, she said she must stay open — not just for herself, but for the others who are caught in Picher's limbo.

"Even though your back is against the wall, you hold on to your faith and you wait," Stone said. "That's all I got and I won't let it go, not for anything. I won't quit being a source of strength for the people who walk through my door."

Despite the difficult decisions facing Stone and other business owners in Picher, she said closing is the right thing. No matter how much she wants to hold on to the Picher she once knew, she knows it is gone, and the town she sees each morning is best forgotten while the town she remembers fondly stays alive in her memories.

"It has to be, but it's still a wrenching thing," she said. "It's our heritage. We all agree with them. It's not something we want or pursued. It's just the way it has to be."

Melissa Dunson is the business writer for The Joplin Globe.

40 square miles

The Picher Mining District occupies 40 square miles of northern Ottawa County, and was a primary source of lead and zinc for the United States from the early 1900s to the 1940s.

Today, the region is the largest Superfund site in the United States. Millions of cubic yards of mine tailings remain. Residents have elevated blood-lead levels, and rates of kidney disease also appear elevated. Much of the area does not support vegetation, leading to suspension of fine sediment particles by winds.

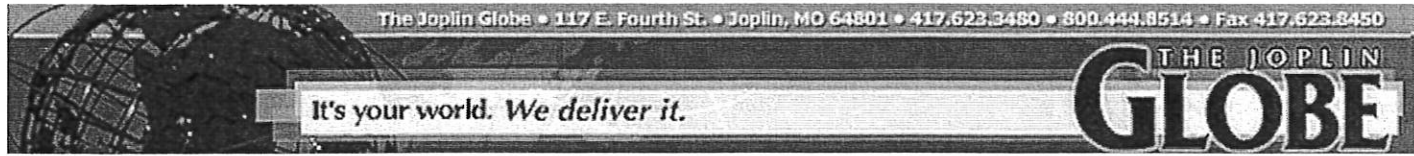
Source: U.S. Geological Survey

Copyright © 1999-2006 cnhi, inc.

Photos



Globe/Roger Nomer Longtime Picher resident and thrift-shop owner Susie Stone kisses her granddaughter in front of a closed-up Betty's Dairy-In. Stone says she is saddened by what she sees as the death of her town.



Treece hopes to join in buyout

CNHI News Service

— By Roger McKinney
Globe Staff Writer

TREECE, Kan. - State Rep. Doug Gatewood, D-Columbus, said Thursday that he is continuing to work with the Kansas congressional delegation in an effort to secure the same deal for Treece that Picher, Okla., receives. Treece is just north of Picher, and the town has some of the same environmental and undermining problems left over from the lead and zinc mining as its larger neighbor in Oklahoma.

Gatewood said he had been on the phone with a staff member with U.S. Sen. Sam Brownback, R-Kan., about the issue. "Hopefully we can get quick approval of this to tie Treece in with them" in Picher, Gatewood said.

"It's important that we address this as one issue."

Gatewood said residents of Treece rely on Picher for many necessities and infrastructure.

Kansas Gov. Kathleen Sebelius has expressed her support for a federal buyout of Treece, putting Gatewood in charge of the effort.

"I'll do all I can to facilitate that communication," Gatewood said.

Gayla Woodcock, a Treece resident who is leading the buyout effort, said U.S. Sen. Jim Inhofe, R-Okla., changed his opinion about Picher over a period of years. She said she hopes the Kansas congressional delegation also can be convinced of the need for a Treece buyout.

"Undermining doesn't stop at the state line," she said.

Woodcock said she appreciates the work of Sebelius and especially Gatewood.

"Doug Gatewood is doing an awesome job," she said. "He's working very hard for the citizens of Treece."

Copyright © 1999-2006 cnhi, inc.

I am writing this on behalf of my children and grandchildren, and safety and health ~~of~~ all children living in or around Duce. I have lived here all of my life and know first hand of the dangers of the lead + zinc mining fields that we abandoned by the mining companies and others. There were no

Plans to reclaim any of the land. We have open cave ins and shafts that are everywhere. The mine tailings or otherwise called gravel are contaminated and a daily threat to everyones health. Our children have to ride school buses across mined out roads and highways every school day. I have seen kids swim in cave ins filled with mining water.

The city of Duce and surrounding areas need as much help as any other places that are seen as unsafe and health threatening.

Sincerely

Ella Johnston