

#6

Tar Creek

THREAT: Toxic water contamination

STATE:

Oklahoma

AT RISK:

Clean water, public health

SUMMARY

Tar Creek flows through what was once some of the richest grasslands of the Southern Plains but is now one of the country's largest Superfund sites. Heavy metals from mining have contaminated the creek for decades, and cleanup efforts continue to fall short, threatening the health of Indigenous communities and other local residents. The Environmental Protection Agency, Federal Energy Regulatory Commission, State of Oklahoma and tribes must work together to develop a landscape-scale solution to clean up the pollution and safeguard public health.



PHOTO: IAN MAULE

THE RIVER

Tar Creek begins in Kansas and crosses into Oklahoma, flowing through the towns of Commerce and Miami before joining the Neosho River. The Neosho and Spring Rivers merge at Twin Bridges State Park, creating the Grand River. Tar Creek and the Grand River feed a major drinking water source for thousands of Oklahomans — the Grand Lake o' the Cherokees, created by Pensacola Dam. The watershed is a destination for anglers, hunters, conservationists, artists, recreationists and nature lovers.

Ottawa County is home to a blended community comprised of nine Indigenous tribes forcibly moved here during the 19th century and descendants of white settlers. Tribal members make up more than 20 percent of the population in the county, with many individuals having ancestry in multiple tribes. The watershed is further shared by the Cherokee Nation, which borders it on the West and South.

THE THREAT

After 80 years of working the world's largest lead and zinc mine, industry abandoned the site in the 1960s, leaving behind 75 million tons of lead-contaminated tailings piles. The Tar Creek Superfund Site, one of the largest and most complex in the nation, was established by the Environmental Protection Agency in 1984, becoming one of the first Superfund sites in the country. The Tar Creek Superfund Site's epicenter contains forty square miles of abandoned mines with more than 30 major tailings piles as high as 200 feet tall with lead-contaminated soils throughout much of the county. For forty years, one million gallons of contaminated water has discharged daily into Tar Creek, killing most of the Creek's aquatic life and turning the water orange due to oxidation. Heavy metal contamination poses a danger from two directions — upstream at the source from acid mine drainage and surface runoff, and downstream from the disturbance of contaminated sediments dispersed during floods. Farms, homes and neighborhoods are put in toxic danger any time a storm causes flooding.

Tar Creek is one of four sites within the Tri-State Mining District of abandoned lead and zinc mines (spanning Missouri, Kansas and Oklahoma). The mine tailings (essentially waste, often toxic) were used as gravel for roads, driveways and generally throughout local communities



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Continued

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TAKE ACTION:

[AmericanRivers.org/
TarCreek2021](https://AmericanRivers.org/TarCreek2021)

PHOTO: IAN MAULE

without evaluation of, or caution regarding, the high levels of toxic heavy metals (specifically lead, cadmium, arsenic and manganese) in the material or the resulting irreversible neurocognitive impairments on humans, especially children. Due to water contamination in Tar Creek, residents cannot safely use or consume fish or plants in and around Tar Creek. Further, important Indigenous subsistence lifestyles and cultural practices, as well as recreational activities for native and non-native people alike, are inhibited.

Since its Superfund designation, the EPA and State of Oklahoma have done piecemeal work at the site, spending more than \$300 million (including buying out towns) — yet Tar Creek still flows orange, tailings piles still loom on the horizon and too many children are still poisoned by lead.

As the EPA develops cleanup plans for Tar Creek, it relies on a flawed Conceptual Site Model that ignores groundwater and local riparian and floodplain areas. In doing so, EPA undercuts the effectiveness of the entire remediation process by consigning the residents of a poor county to a future in which polluted groundwater and contaminated soils are unavoidable. This neglect is part of the pattern of behavior at environmental justice sites across the country.

Concurrently, the Pensacola Dam is going through a hydropower relicensing process with the Federal Energy Regulatory Commission (FERC). This process is expected to be completed and ready for approval in 2024. Grand River Dam Authority (GRDA), a state agency that operates the dam and manages the lake, has historically ignored the metals pollution within the lake and watershed, in addition to flooding issues. GRDA is asking to raise the lake level an additional two feet in its new license request, thereby increasing the risk to upstream communities from toxic flood waters and climate change impacts.

WHAT MUST BE DONE

Tar Creek is poisoned with regional, watershed-wide pollution that requires a landscape-level solution. In conjunction with the relicensing of the Pensacola Dam, the EPA, FERC and State of Oklahoma must collaboratively address historic and ongoing contamination throughout the Grand Lake watershed. EPA, FERC, the State of Oklahoma, and tribes with land adjacent to Tar Creek must sign a Memorandum of Understanding (MOU) that requires all parties to commit to an integrated, landscape-level solution to address both the dam relicensing and EPA cleanup plans at Tar Creek. In addition, the lake level must not be raised as proposed because doing so will increase the watershed-wide redistribution of sediment-bound heavy metals during floods.

Furthermore, the new EPA Region 6 Administrator must order a new Remedial Investigation and Human Health Risk Assessment that is more protective of human health and the environment. The health of communities around Tar Creek can no longer be ignored and set aside as an accepted casualty of historic mining. Tar Creek must be addressed as a matter of environmental justice, a priority of the Biden Administration.

Lastly, Congress must reauthorize the Superfund Fee under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), which funds cleanup at Superfund sites across the country. Reauthorizing the Superfund 'polluter pays' provision will provide cleanup money so citizens do not have to pay for cleanup.