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It took a town to find help for Tar Creek

By John David Sutter Staff Writer



PICHER — Over the years, many have championed the cause of this polluted lead and zinc mining town from behind the scenes.

The former northeastern Oklahoma mining district, called Tar Creek, has been on the government's list of high-priority environmental cleanup sites since 1983. In recent years, residents have slowly left the area, as a government-funded program pays willing people for their property.

Behind the politics of that plan and many others, local advocacy has been present. A local nurse was the first to suggest mine waste near the town of Picher might be poisoning kids. A nuclear scientist returned to his hometown and pushed for a look at massive cave-ins caused by extensive subterranean mine workings. And a guidance counselor has been drawing attention to poisoned waters at the site for more than a decade.

Meanwhile, in a campaign ad, Republican U.S. Sen. Jim Inhofe claims to be responsible for the environmental cleanup and buyout program.

In the commercial, titled "One Man in America," a narrator says: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

Some residents say a buyout, which is unfinished, wouldn't have happened without Inhofe.

But before any politicians got involved, common people have fought to put Tar Creek on the government's radar for more than three decades.

George Mayer: The rancher The prairie was oozing orange, and George Mayer is said to be the first to have taken notice.

On his ranch in Commerce, just down the road from the former Tri-State Mining District, rust-colored water started seeping out of the ground in 1979 or 1980.

It stained the legs and backs of Mayer's white Arabian horses that roamed the field. It burned the hair off their legs, left open sores, and sizzled right through a metal bucket, according to a

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Tar Creek timeline 1904: Underground lead and zinc mining starts in Picher, in the northeast corner of Oklahoma.

1920s: The mining peaks.

1950s: The mines decline, and Picher closes its Main Street because of a cave-in.

1960s: Homes sink into abandoned mine workings.

1970: Mining stops.

1978: The U.S. Geological Survey warns of future problems associated with nearly 10.75 billion gallons of acid water that in the underground mines.

1983: The U.S. Environmental Protection Agency declares Tar Creek a high-priority waste site in the Superfund program.

1994: A local nurse-doctor team first suspected a connection between lead mine waste and learning deficiencies at Picher-Cardin Schools.

1995: People living near Tar Creek begin holding annual fake fishing competitions to tell the government they believe fish and waters in the area are unhealthy.

1996: Government tests show 31.2 percent of kids in the area have blood lead levels higher than 10 micrograms per deciliter, the government limit.

1998: A local environmental advocacy group

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newspaper report.

As hard as her husband tried, he couldn't get the stains off, said [Maxine Mayer](#). George's widow, [George Mayer](#)'s son, [Jody Mayer](#), said it looked like the horses were wearing red socks.

According to a 1983 story by the Times-Post News Service, the U.S. Geological survey published a report in 1978 that predicted the coming problems associated with 10.75 billion gallons of acid mine water that had filled the mines.

After the mines closed in 1970, pumps that kept the cavernous mines from flooding with groundwater were turned off. Soon the caves filled with water, that water picked up heavy metals, turned acidic and crept up to the surface, where it oxidized.

George embarked on a research and public relations campaign to warn people about the pollution he'd found, said [Jody Mayer](#), 62. His father, who died in 1998, called the [U.S. Environmental Protection Agency](#). [Jody Mayer](#) said, and soon government officials and news reporters were swarming the area.

"It threw up the red flag," [Jody Mayer](#) said.

By 1981, the state government developed a plan to address water pollution at Tar Creek, and in 1983 the federal government listed Tar Creek as one of the most urgent hazardous waste sites in its Superfund program.

Dr. Shirley Chesnut: The physician

The child patients were funneling in at an alarming rate, all with the same symptoms: trouble paying attention, trouble reading and trouble learning.

It perplexed [Dr. Shirley Chesnut](#), who was working at the Miami Indian Health Clinic in the early 1990s. All the kids were coming from nearby Picher, and she thought teachers might be over-diagnosing attention deficit disorder.

Then a nurse made a connection: "Well, it could be lead," [Carol Barnett](#) told [Dr. Chesnut](#).

About 10 years after Tar Creek was declared a Superfund site, no one had tested local kids to see if the toxic metals had ended up in their blood, damaging their central nervous systems.

[After Barnett](#) raised the issue, [Chesnut](#) said she started an informal program to blood test kids for lead.

The results were alarming.

"I'll never forget it, because probably every child we checked came back with a high lead level," she said.

[Chesnut](#) tested her own children, and three of the four had high lead levels, she said.

[Chesnut](#) didn't have time to do an overall study of the situation, said [Rebecca Jim](#), who interviewed health workers about the situation for a book. A graduate student stepped in to analyze the results, she said.

In 1994, the clinic reported that 35 percent of the American Indian kids tested had high blood lead levels.

The government began testing for lead in the blood of residents and in the soil.

The results came in 1996 and offered similar results — 31.2 percent of kids in the area had blood lead levels higher than 10 micrograms per deciliter, the government's safety limit.

Years later, in 2004, the information about these public health risks, pushed [Gov. Brad Henry](#) to propose a plan to pay all families with children 6 years old and younger to leave the Superfund site.

[Henry](#)'s spokesman, [Paul Sund](#), said that plan would never have happened without blood testing; and, he said, the [Inhofe](#) buyout wouldn't be happening if the 2004 effort hadn't served as a template.

Rebecca Jim: The counselor

For 14 years, [Rebecca Jim](#) has held fake fishing tournaments near, but not in, Tar Creek. No one ever catches anything, and that's the point: the water is too toxic for aquatic life to survive.

"There aren't any fish yet, so we're still just practicing," said [Jim](#), who is a former guidance counselor from Miami, OK.

begins holding public conferences about Tar Creek.

2003: U.S. Sen. Jim Inhofe spars with U.S. Rep. Brad Carson over a buyout at Tar Creek. Carson favors a buyout. In December, Inhofe tells the Tulsa World: "There will never be a buyout. I promise you that."

2004: Inhofe, R-Tulsa, funds an "omnibus bill" that includes \$45 million for cleanup on the periphery of the Tar Creek site.

2004: Gov. Brad Henry, a Democrat, calls for the government to pay willing families with kids ages 6 and younger to relocate from the Superfund site.

2004: Inhofe meets with residents. Some locals say Inhofe ignored their concerns before that April 2004 meeting.

2005: Inhofe uses sway as chair of the U.S. Senate Environment and Public Works Committee to fund a \$2 million study of cave-in risks.

2006: The U.S. Army Corps of Engineers releases a report saying 286 properties at the Tar Creek site are at risk for cave-ins. The \$2 million report was commissioned by Inhofe.

2006: The corps report leads Sen. Jim Inhofe, R-Tulsa, to call for a government-sponsored buyout.

2007: The state Department of Environmental Quality releases a warning that fish between Tar Creek and Grand Lake may be contaminated with toxic heavy metals.

2008: On May 10, an EF-4 tornado levels half of Picher, killing six. The buyout remains half finished. EPA officials estimate the cleanup process will take 30 more years.

Sources: U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, Oklahoma Department of Environmental Quality, Agency for Toxic Substances and Disease Registry, The Oklahoman, The Associated Press, Tulsa World, the office of U.S. Sen. Jim Inhofe, Rebecca Jim, Ed Keheley.

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[Jim](#) founded the Local Environmental Action Demanded (L.E.A.D.) Agency in part to draw attention to how large of an area is being damaged by the mine waste and how many people are being hurt.

In addition to the fishing tournaments, she also hosts a conference to raise local awareness about Tar Creek.

With input from [Jim](#) and [Earl Hatley](#), the state posted an advisory that warns locals about the dangers of eating too much fish caught in Tar Creek, the [Neosho River](#), [Spring River](#) and [Grand Lake](#), said [Jay Wright](#), who worked on the project with the state Department of Environmental Quality.

[Wright](#) said [Jim](#) helped the agency realize that some American Indians in the area pressure cook fish, eating the bones and skin, which are potentially the most toxic parts of fish that they live around heavy metals. A previous study hadn't taken local eating habits into account, he said.

"They've done a lot to raise public awareness on a lot of fronts, and frankly to encourage public agencies to take a look at the situation a little closer — and maybe look at it in ways that we hadn't thought about looking at it before," [Wright](#) said of [Jim](#) and [Hatley](#).

[Jim](#) still is advocating for continued environmental cleanup, and will host a 10th Tar Creek conference September 15 to 17.

"Once people are out of the epicenter (of Tar Creek), it doesn't mean the problem is gone," she said. "The problem is still huge. It's just huge beyond belief."

She's hopeful that fish will be able to live in Tar Creek again soon, with continued federal attention. Then, her fishing tournaments can be real — instead of held in protest.

[Jim Inhofe: the senator](#)

Cave-ins have long been reported in the unstable mining area at Tar Creek.

In the 1960s, houses actually sunk into the mine working. Picher's Main Street was shut down in the '50s because the fear of cave-ins was so great. And, prior to 1986, there were 59 collapses that sank craters more than 95 feet across, according to a government report.

Despite all these warning signs, the cave-in risks were never studied on a large scale until 2006, when a [U.S. Army Corps of Engineers](#) report was released.

The results surpassed anything [Inhofe](#) expected. Two-hundred eighty-six homes, businesses and churches were found to be at risk for collapse.

[Inhofe](#) said in an interview that he decided to put increased attention on Tar Creek in 2003, when he became chair of the senate's Environment and Public Works Committee.

In 2004, he used that sway to pass a bill through congress that authorized \$45 million for cleanup on the fringes of the Tar Creek site.

Some residents criticized that plan.

"I can find no indication, through his actions or his words, that the problems of these children matter," [Mark Osborn](#), a physician from Miami, told the [Associated Press](#) in 2003.

[Inhofe](#) was adamantly opposed to a public buyout, and in a December 2003 interview with the [Tulsa World](#), he said: "There will never be a buyout. I promise you that."

The powerful senator changed his tune recently, and he attributes the change to the \$2 million 2006 report — which he commissioned and funded. It quantified and specified the risks for cave-ins.

While others called for a buyout on the merits of health and environmental risks in the area, [Inhofe](#) never supported one until safety and cave-ins became the issue.

The senator helped redirect cleanup money to pay residents to start leaving the area. Locals praise him for those efforts, saying [Inhofe](#) stepped in to aid them when other politicians wouldn't or couldn't.

When asked if he single-handedly is responsible for the current buyout program and environmental cleanup at Tar Creek, as he claims in his campaign ad, [Inhofe](#) said:

"Would we be where we are today, with almost to solution of a problem that's been there for 30 years, without my being involved?" he said. "That's the question you need to ask."

[Ed Keheley: the scientist](#)

[Keheley](#) is a Picher native who returned to town after a career as a top nuclear weapons engineer at a [U.S. Department of Energy](#) lab. Tired of the stress that led him to pop antacids on his morning and afternoon commutes in California, [Keheley](#) moved back home in 1997 for a simpler life.

He was shocked to find his hometown was part of the [EPA](#)'s hazardous waste program.

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He had to get involved, he said. So [Keheley](#) set out to conduct his own investigation.

He sifted through news articles about the earth swallowing up homes. He dug through mining maps, which showed 100-foot caves underground, some only 100 feet from the surface. And he found out that support pillars that held those cave ceilings in place often were blasted out before the mines closed, so the mining companies could extract remaining ore.

At first, [Keheley](#) said, [Inhofe](#) and other officials "turned a deaf ear" to local efforts to draw attention to the unstable area.

America's class system

"There is a class system alive and well in the [United States](#), and if you are a small rural community that doesn't have a voting bloc, you do not have the same access to federal resources and federal officials," he said, adding: "When we were trying to focus attention on Tar Creek, he ([Inhofe](#)) was pretty much ignoring us."

[Keheley](#) said [Inhofe's](#) aides ignored — and sometimes rudely dismissed — concerns about the environmental health of Tar Creek.

The senator's office wouldn't discuss the safety of the area or the possibility of getting residents of harm's way, [Keheley](#) said.

In April 2004, [Keheley](#) said he got to have a discussion with the senator.

They sat at opposing ends of a conference table, [Keheley](#) said.

A turning point

[Keheley](#) said he persuaded [Inhofe](#) to go on a private tour of Tar Creek with him. The experience helped convince [Inhofe](#) there was a serious risk for cave-ins, he said.

After the meeting, [Keheley](#) told the media: "We expected to be read the Riot Act, but he really surprised us."

"Never in my wildest dreams would I have said he's the guy that's going to step forward and solve this," [Keheley](#) said of [Inhofe](#), "but that's one of the oddities of life. I'm certainly thankful for what he's done."

[Keheley](#) said he thinks the buyout would not have happened without [Inhofe's](#) support.

He called the senator's campaign commercial a "flamboyant" attempt to take full credit for positive strides at Tar Creek, and said other politicians with access to the same resources as [Inhofe](#) would have made similar decisions.

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