



Environmental Fact Sheet

Agency Proposes to Authorize Hazardous Waste Management to Indian Tribes

This proposal is a first step toward achieving Indian self-determination of federal environmental programs under the Resource Conservation and Recovery Act (RCRA). It is being proposed in the spirit of eliminating regulatory barriers and promoting government-to-government relationships between the Environmental Protection Agency (EPA) and tribal representatives.

Background

In 1984, the EPA issued a Policy Paper regarding the Agency's approach for the implementation of federal environmental programs on Indian lands (EPA Indian Policy, 1984). EPA's policy allowed tribal governments to have primary responsibility for implementing EPA's environmental programs on lands under their jurisdiction. In 1994, the policy was reaffirmed by Administrator Browner, who said, "...Just as EPA's deliberations and activities have traditionally involved the interests and/or participation of state governments, EPA will look directly to tribal governments to play this lead role for matters affecting reservation environments."

Action

EPA is proposing a rule to clarify the eligibility of tribal governments to obtain authorization to implement RCRA, Subtitle C hazardous waste programs. The proposed rule also provides for tribal eligibility to obtain federal grants to support the development and implementation of such a program under RCRA Section 3011.

Additionally, the Agency proposes to change specific regulatory provisions that are appropriate for tribal program approvals and submissions, and which recognize differences in the structure of tribal governments. Among others, these include: (1) authorization to operate a partial RCRA hazardous waste program (an option not currently available to states); and (2) the sharing of authority with EPA to enforce the requirements of a hazardous waste management program.

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For More Information

The *Federal Register* notice and this fact sheet are available in electronic format on the Internet System through the EPA Public Access Server. For additional information or to order paper copies of the *Federal Register* notice, call the RCRA Hotline. Callers within the Washington Metropolitan Area must dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). Long-distance callers may call 1-800-424-9346 or TDD 1-800-553-7672. The RCRA Hotline is open Monday-Friday, 9:00 a.m. to 6:00 p.m., Eastern Standard Time. Write to the RCRA Information Center (5305W), US EPA, 401 M Street, SW, Washington, DC 20460.