



Environmental Activities On Indian Reservations

FY 91

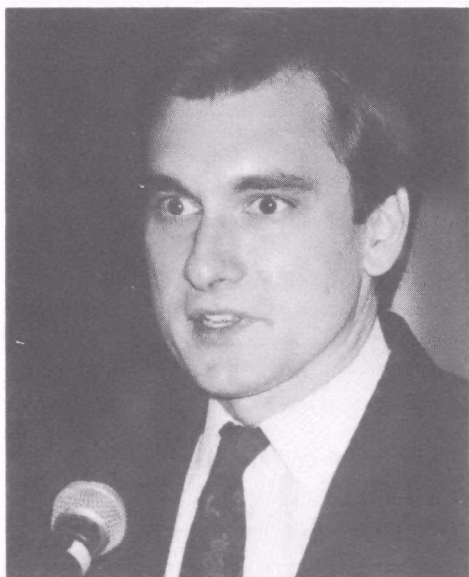



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FOREWORD

This report documents another step by the U. S. Environmental Protection Agency (EPA) and tribal governments toward the development of a lasting partnership in environmental protection. EPA and the tribes are committed to establishing this partnership on a government-to-government basis, and the activities described in this report clearly indicate that progress is being made toward the achievement of that goal. As you read this report, I hope you will share my enthusiasm concerning the progress EPA and the tribes have made in a few short years. However, the fact that we can all take pride in our accomplishments does not mean that our task has been completed. EPA's new authority under the reauthorized Clean Air Act and the reauthorization of the Tribal Multi-Media Assistance program for FY92 will enable EPA to increase its work with tribes. As EPA and the tribes continue to work together I look forward to the benefits our cooperative efforts will bring to future and present generations.




F. Henry Habicht II
Deputy Administrator

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WASHINGTON, D.C. 20460

JUL 20 1992

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INTRODUCTION

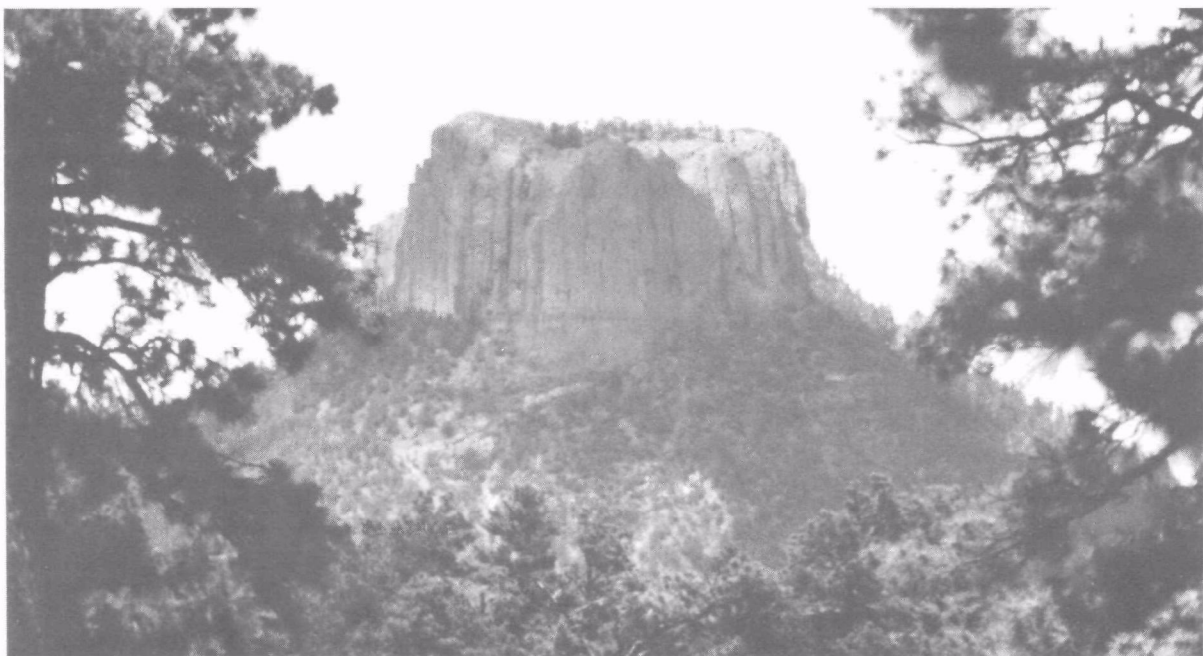
In November 1984, EPA issued an Indian Policy and Implementing Guidance, in which it committed to working with Indian tribes, recognizing that tribal governments are the primary parties for setting standards, making environmental policy decisions and managing environmental programs on reservations. The Agency further committed to encourage and assist Indian tribes in assuming regulatory and program management responsibilities.

Since the publication of this policy, EPA has focused on four major areas: (1) seeking amendments to environmental statutes in order to clarify the role of tribal governments in environmental protection; (2) increasing outreach activities with tribal governments in order to strengthen their understanding of the federal environmental statutes and EPA's understanding of tribal environmental issues; (3) working to incorporate attention to tribal environmental problems and issues into EPA's broader management structure: operating guidance, program strategies, budget considerations, etc.); and, (4) providing direct support for tribal environmental protection activities.

This report is designed to give an overview of Agency efforts to establish environmental regulations on Indian lands. It measures the amount of workyears (the equivalent of one person working full time for a year) and funding that EPA Headquarters and each Region expended to implement each environmental law (i.e., Clean Air Act, Federal Insecticide, Fungicide and Rodenticide Act, etc.) on Indian lands. It is important to note that travel funds and salaries are *not* included in the funding column or in the matrix page of this report. Also, it should be noted that these figures are estimates. Finally, because of the nature of the presentation, the report frequently makes use of acronyms. A glossary has been provided to assist the reader.

OBSERVATIONS

1. In FY91 EPA developed its multi-media assistance program for tribes beyond the pilot stage. A total of \$1.7 million was provided under 29 assistance agreements to 47 tribes, including tribal consortia.
2. Tribal governments became eligible to apply for capacity-building grants under S.1442 of the Safe Drinking Water Act in late FY 91. It is expected that a number of tribes may apply for these grants in FY 92.
3. The Office of Policy, Planning and Evaluation, the Office of Federal Activities and the Office of Water joined together on a field study of 11 tribes in Northern Wisconsin to review Indian risk equity issues. In addition, a NNEMS intern conducted a study of Indian equity issues for the Office of Federal Activities. The nature of life and environmental risk on reservations is very different from that in surrounding rural communities. Therefore, if Agency requirements for equity are to be met, the nature of risk on reservations must be defined.
4. OPPTS, OFA and OA together funded a grant for \$120,000 to the American Indian Science and Engineering Society to begin in environmental science scholarship program for college students who qualify on the basis of academic achievement and commitment to the needs and ways of American Indian tribes. The long term goal of this program is enhance environmental protection of Indian lands.



PROGRAM HIGHLIGHTS

Office of Air and Radiation

Clean Air Act Amendments

The Clean Air Act was reauthorized in FY 91. The amended act included provisions that will allow qualifying tribes to be treated as states. During FY 92 OAR will initiate development of an Indian regulation for the Clean Air Act.

Radon Grants for Tribes

During FY 91 the Office of Radiation Programs continued its funding of tribal projects for the monitoring and mitigation of radon on Indian lands.

Office of Water

Program-wide Activities

OW joined with OPPE in funding a comparative risk study among eleven tribes in Northern Wisconsin. The study is aimed at defining the unique nature of the environmental risks faced by reservation populations. OW also sponsored training activities for tribal officials in various parts of Indian Country in areas such as Public Water System Management, Underground Injection Control and Water Quality Standards.

Clean Water Programs

Under Section 106 of the Clean Water Act, HQ and regional offices coordinated their efforts and issued 47 grants in FY 91, making a total of 108 grants to 61 Indian Tribes since FY 88 for Water Quality Management activities. Under Section 314 of the Clean Water Act, 15 grants were awarded for clean lake activities. Also, OW's Office of Municipal Pollution Control awarded facility construction grants to tribes under the Congressional set-aside program. Funds listed in this report for construction grants are funds that were obligated for specific projects. The actual construction of those projects may extend from FY 91 into FY 92 and beyond, depending upon construction schedules.

Safe Drinking Water Programs/Groundwater Programs

The National drinking water program built program capacity for Indian tribes. Three tribes (Standing Rock Sioux, Ft. Belknap and the Navajo) were granted Treatment as a State under the Safe Drinking Water Act. In addition, the Office of Groundwater and Drinking Water (OGDW) realigned its reallocation policy to permit grant funds to be used to build the public water system supervision capabilities of tribes. This is the first time this has been done by this or any other EPA office.

Office of Solid Waste and Emergency Response

CERCLA/SARA Programs

In July 1991, the Governors of 19 Indian Pueblos Reservations in New Mexico signed a resolution delegating authority to the All Indian Pueblo Council in Albuquerque, New Mexico, to establish a Pueblo Office of Environmental Protection. This resolution also designates the Pueblo Office of Environmental Protection as the lead agency to represent the Pueblos for the development and implementation of a Pueblo Superfund Program for lands under the jurisdiction of the 19 Pueblos. A Superfund Memorandum of Agreement was executed between EPA Region 6 and the All Indian Pueblo Council in September, along with a \$350,000 Cooperative Agreement to the Council for the development and administration of the Pueblo consortium Superfund program.

CERCLA, as amended, affords Tribal governments substantially the same treatment as States in the Superfund Program. To meet this commitment in FY 91, the Office of Emergency and Remedial Response continued to coordinate hazardous waste management and remediation of Superfund sites on Indian lands. As part of that effort, the Office of Emergency and Remedial Response developed and distributed an "Indian Tribal Involvement in the Superfund Program" package which explains how governing bodies of Indian tribes may participate in the Superfund Program and includes various briefing materials and fact sheets.

PROGRAM HIGHLIGHTS

Office of Solid Waste and Emergency Response

RCRA Programs

OSW developed a periodic update for tribes entitled Native American Network, A RCRA Information Exchange. It is anticipated that this update will provide a diverse array of information on RCRA to the tribes, a forum to exchange experiences and ideas among tribes and a means of enhancing the working relationships among Tribal governments, EPA, other Federal Agencies and State and Local governments. OSW also sponsored two Regional Tribal Environmental Coalition meetings (for Region 4 and Region 8). During these meetings, tribes heard presentations from representatives of Federal Agencies with responsibilities on Indian lands, discussed environmental issues of common concern, and offered ideas for resolution of these concerns. In addition, OSW initiated a concerted effort to increase inter-agency cooperation to address RCRA issues on Indian lands. The activities to accomplish such included the establishment of a inter-agency (EPA, BIA, IHS, HUD, and ANA) Solid Waste Focus group and the development of an inter-agency project at the Ft. Belknap reservation in Harlem, MT. (The later will establish a Reservation-wide solid waste collection system).

Office of Prevention, Pesticides and Toxic Substances

Pesticide Programs

OPPTS, OFA and the Administrator's Office together awarded a grant of \$120,000 to the American Indian Science and Engineering Society to begin an Environmental Science Scholarship Program for college students who qualify on the basis of academic achievement and commitment to the needs and ways of American Indian tribes. The scholarships are \$4,000 per student for one year of study and are to be awarded on a competitive basis. The long term goal of the scholarship program is to enhance environmental protection of Indian reservations. In addition, a network of Indian organizations and persons has been established to expedite recruiting of American Indians for OPP, with the overflow going to other EPA offices. Applications are reviewed and forwarded to hiring officials at the Office of Human Resource Management and OCR. Tracking and follow up activities are conducted. Participating organizations include: American Indian Science and Engineering Society; National Indian Education Association; Americans for Indian Opportunity; and, Office of Indian Education, US Department of Education.

Pollution Prevention and Toxic Programs

OPPT provided assistance to HUD's Office of Public and Indian Housing for lead-based paint testing program. In addition, OPPT and OCR created the Forum on State and Tribal Toxics Action to identify and address state, local and tribal toxics problems. In FY 91 funds were available for one Indian representative to the Forum.

Office of Enforcement

Office of Federal Activities

OFA continued its program of multi-media technical assistance, training and support for tribal capability development. Senior Environmental Employees provided technical assistance to tribes and assisted Indian coordinators with tribal communications in Region 5, 7, 8, 9, 10 and at Headquarters. In addition, OFA provided four workshops on intergovernmental cooperation in reducing the barriers to tribal environmental program development as a result of training grants provided to Americans for Indian Opportunity. (79 tribal officials and 50 federal and state officials received training). OFA also supported training provided to tribal staff through agreements with IHS in Region 7 and 9 and through internships for tribal staff in Region 8 funded through the Council of Energy Resource Tribes. In the area of education, OFA joined the Administrator's Office and OPP in funding the environmental scholarships provided to tribal members under the American Indian Science and Engineering Society. OFA joined Region 5, OW and OPPE in working towards the development of a definition of environmental risk and equity on Indian lands. Finally, OFA directly provided funds for multi-media assistance agreements for tribes.

Multi-Media Assistance Agreements

In FY 91 EPA received authority in its appropriations legislation to provide multi-media assistance agreements to Indian tribes for the development of basic environmental infrastructure. This allowed EPA to expand this program beyond the two pilot projects funded in FY 90. In FY 91 a total of \$1.07 million was provided under this program through 29 assistance agreements with 47 tribes, including five consortia.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 1991

MATRIX

REG ION	OAR		CWA		SDWA- UIC		SDWA- PWSS		SDWA- GWP		OPPTS		RCRA		CERCLA SARA TITLE III		OE		MULTI- MEDIA		OPPE		OGC/ORC		TOTALS	
	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY	Exp.	WY
1	9.4	0.1	121.6	0.7	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.1	0.0	0.1	25.0	1.1	104.6	0.1	0.0	0.0	0.0	0.5	260.6	2.9
2	50.0	0.5	87.2	0.6	0.0	0.7	8.0	0.6	0.0	0.0	0.0	0.2	0.0	0.0	86.0	2.2	0.0	1.3	165.0	0.1	0.0	0.0	0.0	0.6	396.2	6.8
4	75.0	0.2	177.5	0.2	0.0	0.0	6.4	0.8	0.0	0.0	0.0	0.1	122.7	0.5	0.0	0.0	0.0	0.4	84.0	0.3	0.0	0.0	0.0	0.1	465.6	2.6
5	192.4	2.5	519.0	2.3	55.0	1.3	0.0	0.0	0.0	0.0	78.0	0.4	205.0	0.5	50.0	0.3	52.4	1.1	460.9	5.4	0.0	0.0	0.0	1.4	1612.7	15.2
6	0.0	0.4	528.7	0.6	226.0	20.0	126.5	3.6	50.0	1.0	1.1	0.02	277.7	0.8	761.0	1.2	15.7	1.0	145.0	0.7	0.0	0.0	0.0	0.6	2131.7	29.9
7	0.0	0.0	641.5	0.5	0.0	0.0	8.0	0.9	0.0	0.0	114.1	0.4	0.0	0.14	0.0	0.0	37.5	0.8	51.5	0.1	0.0	0.0	0.0	0.1	852.6	2.9
8	814.2	1.8	748.5	3.0	140.8	0.3	116.5	1.5	6.7	0.0	427.0	0.6	236.4	2.4	54.4	0.0	167.0	3.0	228.8	0.3	0.0	0.0	0.0	1.7	2940.3	14.6
9	107.8	0.5	2208.3	2.3	22.4	1.9	331.6	10.0	0.0	0.0	471.0	3.6	432.7	4.2	311.3	10.0	99.0	3.1	205.0	0.2	0.0	0.0	0.0	0.5	4189.1	36.3
10	76.8	0.2	5022.8	5.3	40.6	2.5	26.2	1.0	3.0	0.25	144.0	0.2	291.5	2.5	239.9	0.59	94.0	4.1	257.5	0.4	0.0	0.0	0.0	0.8	6196.3	17.8
HQ	468.0	1.1	332.0	4.2	10.0	0.5	70.0	0.5	0.0	0.0	331.5	2.0	676.0	4.3	191.5	1.5	187.5	7.2	0.0	0.0	305.0	3.6	0.0	1.0	2571.5	25.9
TOT	1793.6	7.3	10387.1	19.7	494.8	27.3	693.2	18.9	59.7	1.3	1566.7	7.6	2242.0	15.4	1694.1	15.9	678.1	23.1	1702.3	7.6	305.0	3.6	0.0	7.3	21616.6	155.0
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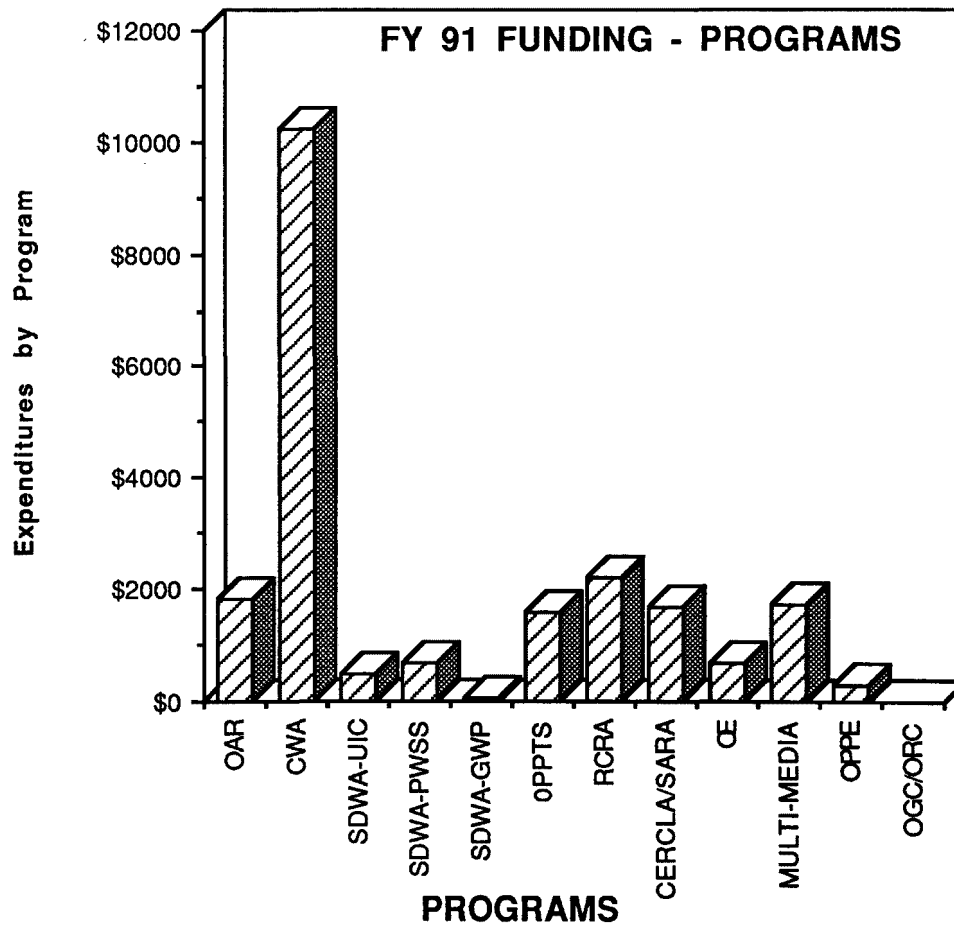
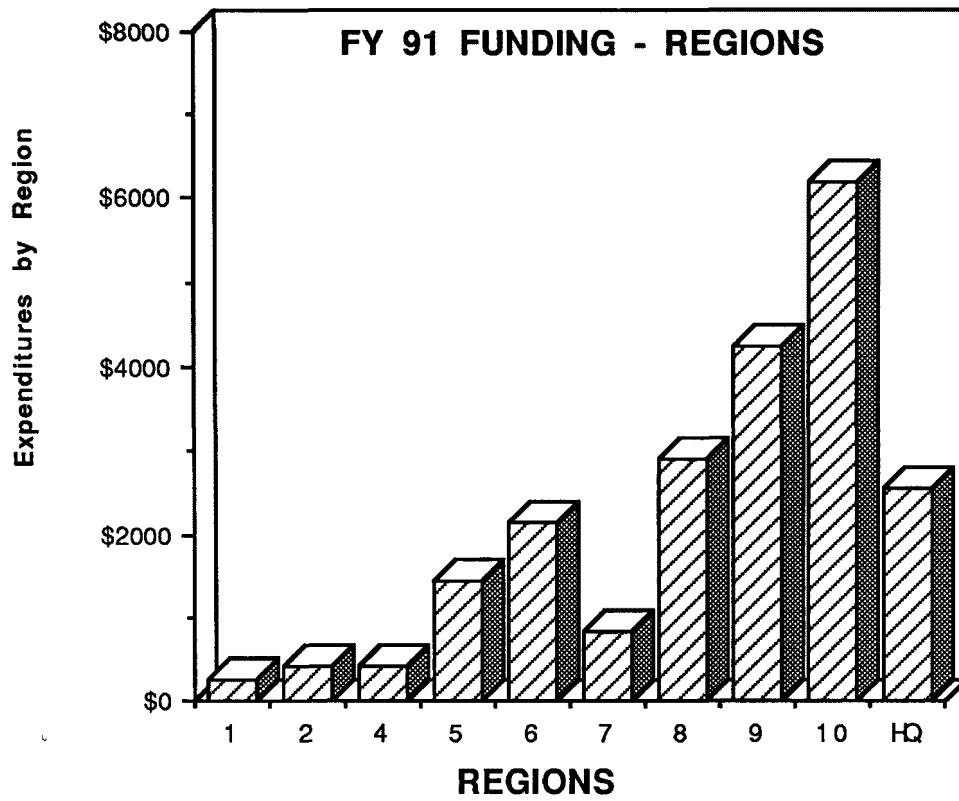
WY = Workyear (Rounded to the nearest 0.10)

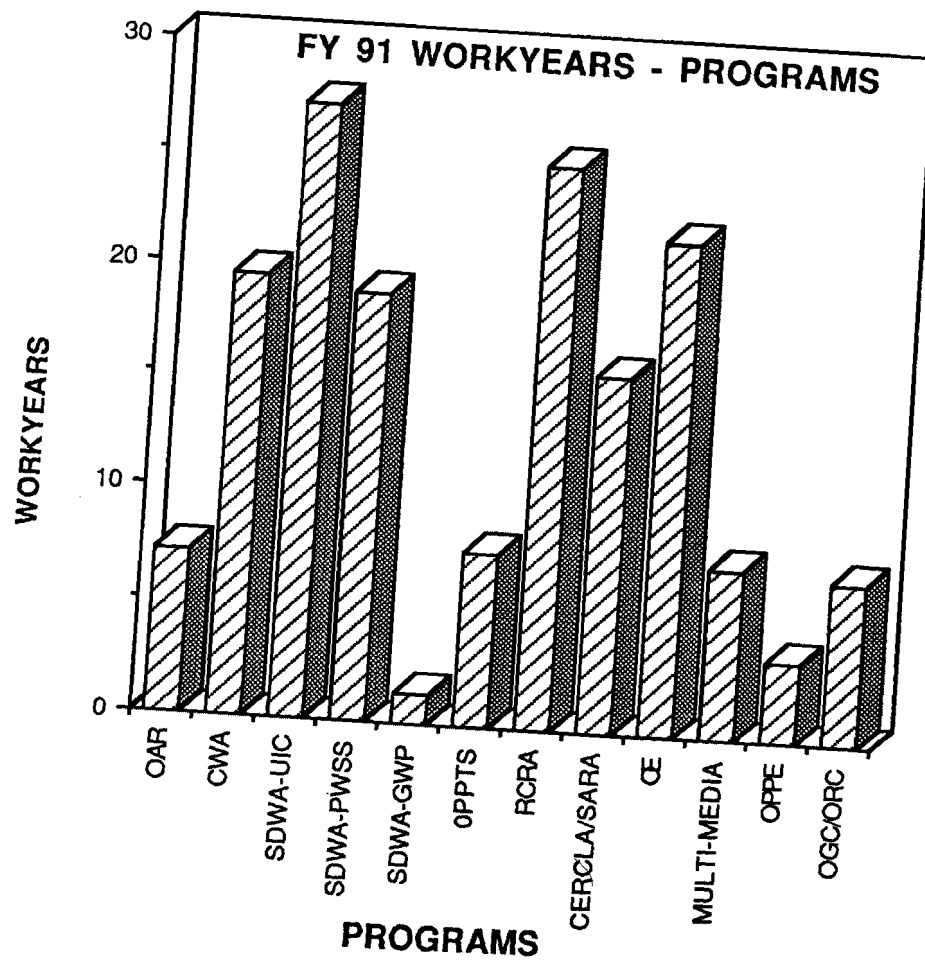
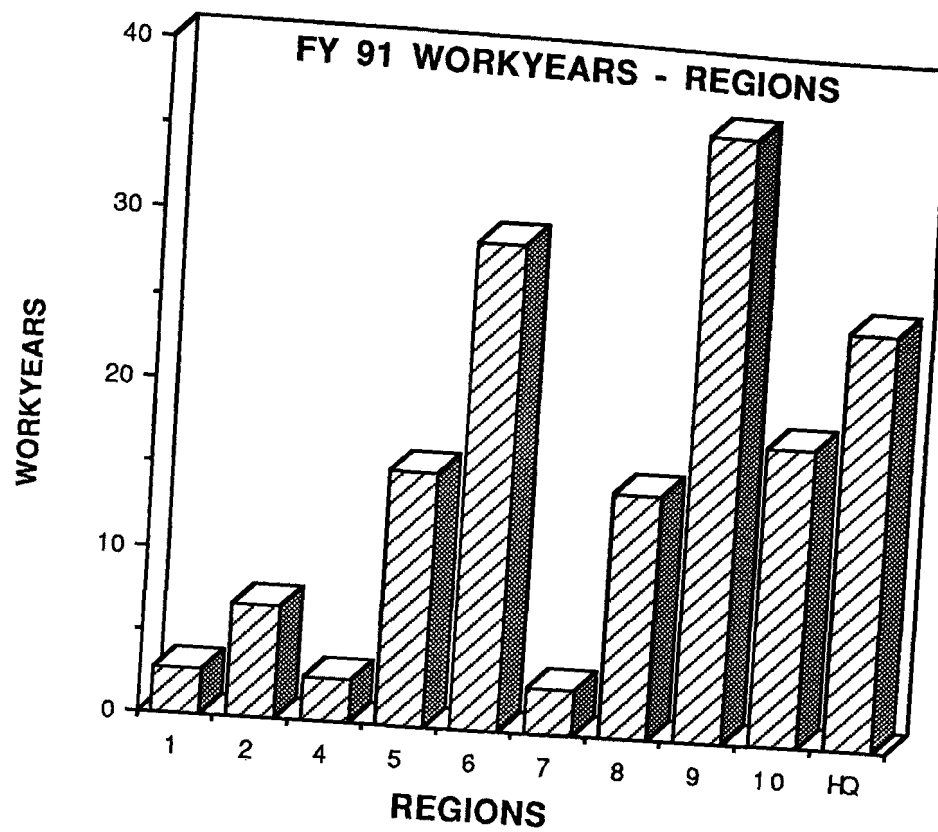
Exp. = Expenditures (\$1,000. Rounded to the nearest \$100.)

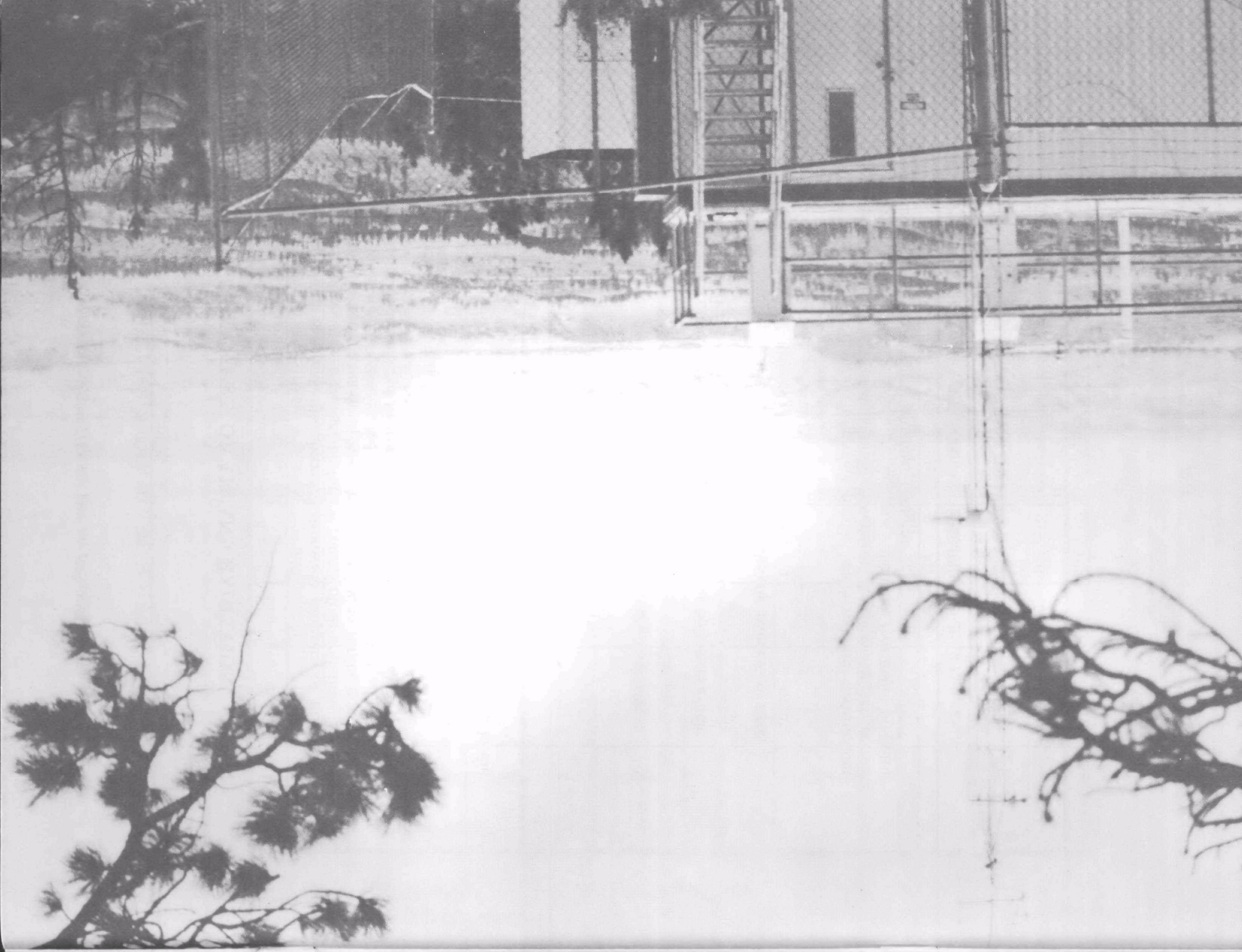
Note: This matrix does not include funds to be awarded or FY 90 funding.

* Figure for expenditures under CWA and SARA/CERCLA include one-time expenditures for wastewater treatment facility construction and Superfund activities. Therefore, the total reflects both on-going programs and one-time efforts.

** FTE estimates include the activities of Senior Environmental Employees (SEEs).







THE OFFICE OF AIR AND RADIATION

The Clean Air Act authorizes a nationwide program of planning, regulation, enforcement and research for the control of air pollution. EPA is responsible for setting national standards and emission limits, conducting research to strengthen the scientific basis for pollution control, and providing technical and financial support to state, tribal and local air pollution control agencies. These agencies have the primary responsibility for the control and prevention of air pollution.

The EPA strategy to meet the requirements of the Clean Air Act in the 1990s focused on five major program goals. They are:

- * Reduce the risk of exposure to air toxics.
- * Achieve National Ambient Air Quality Standards.
- * Develop and support programs that maintain improvements in air quality.
- * Determine the policy alternatives and strategy options available to address emerging issues.
- * Increase the capacity and improve the effectiveness of state, tribal and local air quality agencies.

The national mandate to protect public health and the environment from the adverse effects of radiation is derived from the Clean Air Act, as well as from several other statutes. In addition, there are two major program objectives under the radiation program. They are:

- * Reduce the risk of exposure to unhealthful levels of radiation.
- * Maintain comprehensive surveillance and effective emergency response capabilities.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF AIR AND RADIATION

AIR PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>			Outreach	Reviewed and commented on environmental survey; participated in Region 1 IWG (Indian Work Group) functions.
<i>Region 2</i>	\$50.00	0.25	F/A	Awarded Section 105 grant for AQM (Air Quality Monitoring) to SRMT (St. Regis Mohawk Tribe); administered FY 90 105 grant.
<i>Region 4</i>		0.10	T/A	Assisted Miccosukee tribe in preparing proposal for AQM grant; discussed possibility of proposal for an air grant with Seminoles; attended an environmental workshop hosted by AIO (Americans for Indian Opportunity).
<i>Region 5</i>	\$41.00	0.35	F/A	Awarded Section 105 grant to White Earth for AQ assessment and monitoring.
		0.10	T/A	ESD reviewed air pollution grant applications of Oneida, White Earth, Menominee and Stockbridge-Munsee.
	\$49.00	0.35	F/A	Awarded air assistance grant to Menominee, Stockbridge-Munsee and Oneida Tribes in consortium, for AQM program to assess AQ particulate levels, pesticides, heavy metals and SO ₂ .
		0.50	T/A	Provided Region 5 Indian Program T/A, guidance and oversight/monitoring of tribal programs.
<i>Region 6</i>		0.30	D/I	Processed two PSD (Prevention of Significant Deterioration) applications for El Paso Natural Gas (located on Navajo land).
		0.06	D/I	Provided inspection/follow up of two facilities on Sandia Pueblo and of one facility on Pueblo of San Ildefonso.
<i>Region 8</i>	\$429.30	0.50	F/A	Awarded grants to eight tribes to perform ambient AQM; draft AQ codes/regulations for each reservation; completed emissions inventories and AQ climatology.
		0.50	T/A	Provided training in handling and interpreting AQ data; coordinated presentation of efforts/projects that occurred on many reservations.
	\$69.70	0.10	T/A	Coordinated between reservations and state program activities for seven Region 8 tribes with AQM grants. (AQM assistance from contractor included equipment servicing and location selection).
	\$30.10		F/A	Awarded funds to CERT (Council of Energy Resource Tribe) to provide T/A in development of tribal AQ codes/regulations for non- MT tribes receiving CAA 105 grants. (The early stages of regulation development included CERT's efforts to coordinate AQ interests of tribal and state air officials).
	\$145.10	0.50	F/A	Completed PM-10 monitoring at two reservations; helped develop source control plans for TIP (Tribal Implementation Plan).
<i>Region 9</i>		0.20	F/A - T/A	Provided grant inquiry and management of AQ project for Navajo.
<i>Region 10</i>		0.03	T/A	Assisted Shoshone-Bannock and Puyallup in developing TIPs.
		0.01	T/A	Coordinated with AK and ANV (Alaskan Native Village) on PSD issues.
<i>HQ</i>	\$318.00	0.30	F/A	Convened work group with Region 6, Region 9, OAQPS and OFA to review tribal applications for presentation of six Indian AQM grants to the tribes.
		0.50	T/A	Convened work group to develop Indian AQ rule under Section 107 CAA of 1990.
	\$150.00		F/A	Provided support for EPA's Indian Integrated Assistance Initiative.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF AIR AND RADIATION
RADIATION PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>	\$9.390	0.05	F/A T/A	Provided oversight of Penobscot and Passamaquoddy FY91 tribal radon grants and assisted the Tribes for FY 91 grants; provided to the Tribes for sampling and mitigation; worked with IHS on the two radon projects.
<i>Region 2</i>		0.20	T/A	Reviewed a Section 10(a)/306(c) Title II IRAA (Indoor Radon Abatement Act) grant to the SNI (Seneca Nation of Indians) for radon survey appropriate mitigation activities. (Funds allocated by HQ Air Division).
<i>Region 4</i>	\$60.00	0.12	F/A	Conducted indoor radon survey; provided training.
	\$15.00		F/A	Awarded grant to Cherokee Tribe for radon testing.
<i>Region 5</i>	\$15.00	0.50	D/I	Midwest University Radon Consortium delivered a specialized radon mitigation training course in July and August 1991, under an IAG (Inter-agency Agreement).
	\$87.36	0.15	F/A	Awarded Great Lakes Inter-Tribal Council \$70K to confirm and assess high radon levels found during year.
		0.50	T/A	Provided T/A and guidance to IHS (Indian Health Service), BIA (Bureau of Indian Affairs), HUD (Department of Housing and Urban Development) and Region 5 Indian Program on radon issues.
<i>Region 8</i>		0.20	D/I	Provided regional coordination of radon grants to tribes (T/A and oversight included)..
	\$5.16		F/A	Performed radon testing and training public for Southern Ute.
	\$25.00		F/A	Performed radon testing (short term and long term) Ft. Berthold; provided public outreach.
	\$26.62		F/A	Administered on-site radon training for the Devil's Lake Sioux; sponsored public forum at community college for other Region 8 Indian tribes on radon; provided public outreach.
	\$29.83		F/A	Administered a radon mitigation training/demonstration project for Lower Brule Sioux houses >20 pCi/l.
	\$34.04		F/A	Administered a radon mitigation training/demonstration project for Crow Creek houses >20 pCi/l.
	\$7.00		F/A	Performed radon testing and mitigation training at Ft. Peck.
	\$12.30		F/A	Administered a radon mitigation training/demonstration project for Yankton Sioux low income tribal homes >20 pCi/l.
			T/A	Tested water and soil for radon on Wind River Reservation.
<i>Region 9</i>	\$28.00	0.10	T/A	Sponsored radon demonstration projects with ITCA (Inter-tribal Council of Arizona, Inc).
	\$52.00	0.10	F/A T/A	Provided radon testing, training and public information for the Navajo Nation.
	\$27.80	0.10	F/A	Sponsored a radon pilot project for Pyramid Lake Paiute Tribe.
<i>Region 10</i>	\$30.00	0.05	F/A	Awarded a radon grant to the Nez Perce Tribe.
	\$28.80		F/A	Awarded a radon grant to the Shoshone-Bannock Tribe.
	\$18.00	0.05	F/A	Radon Program Grant to Yakima Indian Nation, Toppenish, WA.
<i>HQ</i>		0.10	T/A	Developed guidance and coordinated \$200K in radon tribal grants to the regions.
		0.10	T/A	Coordinated with IHS regarding radon on Indian lands.
		0.10	T/A	Developed radiation measurement guidelines for the Bluewater uranium site removal action on the Navajo Reservation.



THE OFFICE OF WATER

EPA, together with state, tribal and local governments, has responsibility for water quality in three areas: (1) reducing pollution of surface waters, including wetlands, bottom sediments, and other such critical habitat; (2) preventing contamination of ground water; and (3) maintaining the purity of drinking water. EPA, the states and tribes also implement programs to protect general groundwater quality, authorized under several different statutes and described in EPA's July 1991 Ground Water Strategy. Authority to implement these programs comes from three major statutes. They are:

Clean Water Act

To restore and maintain the chemical, physical and biological integrity of the nation's waters. The Clean Water Act provides a comprehensive structure for water pollution control. The Act provides for (1) establishment of technology-based and water quality-based controls for sources of pollutants; (2) state and tribal water quality standards to protect water uses; (3) monitoring to assess water conditions and trends; and (4) water quality management planning to analyze problems and design needed control measures.

The Clean Water Act accomplishes its purpose by creating a partnership between EPA and the governments of the various states and tribes. It allows for state and, under certain circumstances, tribal governments to develop water quality standards. In addition it creates specific programs to assist states and tribes in funding pollution control activities in areas of wastewater treatment, clean lakes restoration, and non-point source pollution abatement and other water quality protection activities.

Safe Drinking Water Act

To ensure that drinking waters are free from harmful contaminants; protect ground water from contamination by underground injection; and, support ground-water quality management initiatives. The SDWA and 1986 amendments establish four programs through which the EPA is to fulfill its mandate of ensuring that drinking waters are free from harmful contaminants. The first one is the Public Water Supply Supervision Program, which focuses on providing safe drinking water to users of public water systems. The Underground Injection Control Program focuses on protection of ground-water supplies that are or might be sources of drinking water from contamination by the subsurface injection of fluids by well operators. The Sole Source Aquifer Demonstration Program authorizes funds to state, tribal or local political units to demonstrate unique ground-water protection activities. The Wellhead Protection Program authorizes funds to states and tribes to protect the area around public drinking water wells or well fields. It should be noted, however, that Congress did not appropriate funds for these last two programs in FY 91.

Marine Protection, Research, and Sanctuaries Act

To provide for the safe and effective disposal of dredged materials, sewage sludge, hazardous waste and other materials at sea. (This statute does not directly relate to American Indian tribes or tribal governmental authorities).

The Groundwater Protection Strategy

The Ground-Water Protection Strategy for the 1990s, while not established in statute, sets forth EPA's policy to support the development and implementation of ground-water protection programs that comprehensively protect the Nation's ground-water resources, and directs the course of EPA, State, and tribal efforts over the coming years. The states and tribes are the focal point for the strategy. A crucial component of this policy is the Comprehensive State Ground-Water Protection Program (GSGWPP), which has the primary goal of coordinating all ground-water protection activities within a State or on Indian lands. The primary purpose of GSGWPPs is to fully integrate the many EPA and other Federal programs with ground-water responsibilities in a manner that focuses on protection of the resource as a whole.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER
CLEAN WATER ACT PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>	\$30.00	0.06	F/A - T/A	Provided Clean Lakes funds to the Narraganset Tribe.
	\$46.875	0.06	F/A - T/A	Provided wetlands grant to the Penobscot Tribe.
	\$27.751	0.06	F/A - T/A	Provided CWA 106 grant funds to the Mashantucket Pequot.
		0.25	T/A	Provided T/A and oversight to Mashantucket Pequot concerning environmental compliance for a major economic development project.
		0.10	D/I	Provided T/A and oversight to Narraganset for a CWA 106 grant.
	\$17.00	0.05	D/I - F/A	Provided grant funds to NEIWPCC to assist Wampanoag Tribe.
		0.05	T/A	Met with Wampanoag Tribe, HUD and IHS to discuss Tribal housing and community center environmental compliance needs.
		0.05	Outreach	Participated in regional IWG; reviewed Region 1 environmental survey for tribes.
		0.05	T/A	Provided oversight and management of WWTF project to the Passamaquoddy Indian Township Reservation.
<i>Region 2</i>		0.02	T/A	Coordinated WQ (Water Quality) certification.
		0.15	F/A	Awarded grant for wastewater project under the set-aside program to SNI; developed agreement with IHS to administer WWT (Wastewater Treatment) construction grants to SRMT & Oneida.
		0.10	D/I	Assisted Oneida in identifying wastewater needs; included their project on National Priority Project list for WWTF (Wastewater Treatment Facilities) construction grants.
	\$40.00	0.30	F/A	Awarded a Section 106 grant to SRMT.
	\$47.20		F/A	Awarded a second Section 106 grant to SRMT.
<i>Region 4</i>	\$21.245	0.05	T/A	Provided T/A to Eastern Band of Cherokee concerning work plan for Section 106 grant; developed tribal WQS (Water Quality Standards).
	\$90.00		T/A	Provided T/A to Poarch Band of Creek Indians to develop NPS Assessment Management Program; provided T/A to develop Section 319 grant application; provided T/A on 106 work plan, Clean Lakes grant; constructed wetlands.
		0.05	T/A	Provided T/A to Eastern Band of Cherokee concerning work plan for Section 106 grant; developed tribal WQS.
		0.05	Outreach	Participated in Utilities Management meeting in Cherokee, NC, and AO (Administrative Order) workshop in Atlanta, GA.
		0.05	Outreach	Conducted on-site visits to the Poarch Band Creek, Miccosukee, Seminole and Cherokee Tribes.
	\$66.245		F/A	Awarded Section 106 grants to Poarch Band Creek, Cherokee and Miccosukee Tribes.
<i>Region 5</i>		0.55	D/I	Provided coordination and liaison activities related to all Water Division Programs.
	\$239.88	0.10	F/A	Awarded Section 106 grants to Lac Du Flambeau, Stockbridge-Munsee, Menominee, Minnesota Chippewa Tribe and the Red Lake Bands of Chippewa Indians.
		0.02	T/A	Provided oversight of five tribal 106 grants.
		0.15	T/A	Participated in Region 5 IWG functions.
		0.05	Outreach	Conducted two combined drinking/wastewater workshops for tribal personnel.
		0.10	Outreach	Surveyed tribal staff and designed CWA/SDWA workshops to reflect specific issues of concern to the tribes.
		0.01	T/A	Reviewed TAS applications for two tribes.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER
CLEAN WATER ACT PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 5</i>		0.07	Outreach	Conducted site visits to twelve reservations; performed follow-up to the respective concerns of tribes.
	\$38.00	0.05	F/A	Awarded state wetlands grant to Mille Lacs for inventory and wetlands planning.
	\$45.60	0.08	F/A	Awarded state wetlands grant to Mille Lacs for development of WQS for wetlands.
	\$40.00	0.08	F/A	Awarded state wetlands grant to White Earth for wetland resource survey and implementation planning.
		0.02	T/A	Assisted in facilities planning for three tribal construction grant projects.
		0.01	D/I	Sent seven NPDES (National Pollutant Discharge System) permit renewal applications to four tribes.
		0.01	T/A	Informed US Fish and Wildlife Service about NPDES permit requirements regarding proposed fish hatcheries at Red Lake, Red Cliff and Keweenaw Bay.
		0.01	T/A	Worked with three consultants regarding NPDES requirements or proposed construction at Lower Sioux, White Earth, and Vermillion Lake.
	\$124.00	0.05	F/A T/A	Provided T/A in proposal writing and review; awarded \$24K to Mille Lacs for Lake WQ assessments and for Phase I efforts.
		0.05	T/A	Reviewed QUAPP (Quality Assurance Project Plans) for Mille Lacs and White Earth.
	\$30.00	0.10	T/A	Managed FY 91 104(g)(1) grants to Minnesota Rural Water (MRWA) to provide direct on-site technical training on design and construction, operation, maintenance and administration of tribal utilities.
	\$1.428	0.55	F/A	Coordinated/processed 518(c), construction grants to Menominee, Bois Forte, and White Earth.
		0.15	T/A	Provided T/A training via on-site visits and follow-up telephone contacts to five tribal WWTF.
		0.02	Outreach	Participated in an IHS area office sponsored O&M (Operation and Maintenance) workshop for tribal utility operators.
		0.06	D/I	Issued seven NPDES permits to Region 5 Indian tribes.
		0.02	T/A	Provided T/A to Region 5 tribes to explain new NPDES permit requirements.
			T/A	Visited and inspected Keweenaw Bay, Oneida, and Grand Portage WWTFs for compliance evaluation inspections.
<i>Region 6</i>	\$345.00	0.35	F/A T/A	Awarded 106 grants to Sandia Pueblo, San Juan Pueblo, Isleta Pueblo and Pojoaque Pueblo; approved TAS applications.
	\$183.65	0.10	T/A	Completed engineering design; began 314 Phase I restoration and implementation project on Acoma Lake.
		0.10	T/A	Provided T/A to tribes on WQS; reviewed draft standards for the Pueblos of Sandia and Isleta; provided information to Pueblos of San Juan, Pojoaque and Eight Northern Indian Pueblo Council on development of WQS.
<i>Region 7</i>		0.05	D/I	Reviewed and approved facilities plan prepared by IHS, concerning application of seal to existing 3-cell lagoon and rehabilitation of lift station at Santee Sioux Reservation.
		0.10	D/I	Reviewed facilities plan prepared by IHS, concerning extension of sewer collection system at Winnebago Reservation.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER
CLEAN WATER ACT PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 7</i>	\$534.50	0.10	D/I F/A	Executed IAG/MOA (Memorandum of Agreement) with IHS for proposed collection system extension, treatment system and improvements at Sac and Fox.
		0.02	D/I	Reviewed quarterly discharge monitoring reports for Sac and Fox.
	\$15.00	0.10	D/I - F/A	Increased 106 grant to Winnebago for groundwater assessment.
	\$92.00	0.10	D/I - F/A	Awarded a 106 grant to the Kickapoo Tribe.
<i>Region 8</i>		0.10	D/I	Administered Indian set-aside wastewater construction grants (Section 518).
		1.00	D/I	Conducted facility planning for wastewater construction grants (Title II).
		0.85	T/A	Provided outreach and education grants to small communities; created septage management plan for Rosebud Sioux Tribe.
	\$15.00		T/A	Provided on-site O&M training and T/A to WWTF.
		0.05	D/I	Processed CWA Section 106 TAS for Ft. Belknap.
	\$48.00	0.05	F/A	Awarded Section 106 grant to Blackfeet for the development of WQM (Water Quality Management) program.
	\$115.00	0.10	F/A	Awarded 106 grant to Confederated Salish Kootenai to create a monitoring program and review classification for developing WQMs.
	\$65.00	0.05	F/A	Awarded Ft. Belknap a 106 grant to develop a management plan and monitor gold mining operation/WQ.
	\$78.20	0.05	F/A	Awarded 106 grant to Ft. Peck for on going WQ and resource assessment.
	\$48.00	0.05	F/A	Awarded Northern Cheyenne 106 grant to create WQM program.
	\$70.00	0.05	F/A	Awarded Pine Ridge a 106 grant to monitor and assess WQ, groundwater study with US Geological Service.
	\$49.20	0.05	F/A	Awarded Rosebud Sioux a 106 grant to develop WQM program.
	\$63.40	0.05	F/A	Awarded 106 grant to Southern Ute for monitoring WQ and environmental assessment.
	\$50.00	0.05	F/A	Awarded Standing Rock Sioux a 106 grant to develop WQM program.
	\$51.00	0.05	F/A	Awarded Ute Mountain Ute a 106 grant to develop WQM program.
	\$95.70	0.05	F/A	Awarded Wind River a 106 grant for siltation effects study.
		0.20	T/A	Conducted WQ monitoring workshop at Flathead Reservation on June 3-7, 1991.
		0.01	D/I	Reviewed applications for 104(b)(3) wetlands grant programs.
		0.05	T/A	Continued Blackfeet 314 Clean Lakes Assessment program.
		0.05	T/A	Continued Turtle Mountain 314 Clean Lakes assessment program.
		0.05	T/A	Continued Wind River 314 Clean Lakes Assessment program.
		0.05	T/A	Continued Soouthern Ute 314 Clean Lakes assessment program.
<i>Region 9</i>		0.20	Outreach	Provided information to tribes during various regional meetings throughout year; provided information concerning tribal lands to CA State Water Quality Control Board.
	\$9.94		F/A	Awarded Youth and Environment grant to Pima Community College (Tuscon, AZ) to train 6-10 Native Americans for possible careers in WWM (Wastewater Management).
	\$15.00	0.25	D/I F/A - T/A	Issued three AZ NPDES permits to NTUA (Navajo Tribal Utility Authority) for WWTFs (Tuba City, Chinle, Kayenta).

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

**OFFICE OF WATER
CLEAN WATER ACT PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 9</i>	\$40.00	0.10	D/I F/A	Developed MOA and implemented IAG with IHS for planning of WWTF for Sil Nakya, Tohono O'Odham Nation under Indian set-aside construction grants.
	\$759.50	0.10	D/I F/A	Developed draft MOA for planning, design/construction of WWTF for Hopi Nation under Indian set-aside construction grants; and implemented IAG with IHS for planning, design and construction.
		0.20	D/I	Monitored status and progress of 6 projects; provided guidance to IHS and Hopi, White Mountain Apache, Tohono O'Odham, Yurok and Table Bluff Rancheria Tribes under Indian set-aside.
	\$465.00	0.01	D/I F/A	Amended MOA for White Mountain Apache to cover construction responsibilities; implemented IAG with IHS to fund construction.
		0.04	D/I	Reviewed QAPP and sample plans for Hoopa Valley, Coyote Valley, Ft. Mojave, Colorado River, Gila River and Superfund-Navajo Nation.
		0.11	D/I	Reviewed, under CWA Section 106, four water pollution control program TAS applications, under CWA Section 106.
		0.50	D/I	Provided day-to-day management of WQM program for Indian tribes (i.e. workplan revisions, information requests, etc.)
		0.22	T/A	Reviewed and commented on draft manual for the environmental assessment program for Indian lands and draft manual for WQS regulations.
		0.42	F/A	Reviewed six pollution control program grant applications under CWA Section 106.
	\$88.958		F/A	Awarded pollution control program grant to Coyote Valley.
	\$180.144		F/A	Awarded pollution control program grant to Pyramid Lake.
	\$165.856		F/A	Awarded pollution control program grant to Gila River.
	\$150.00		F/A	Awarded pollution control program grant to Rincon Tribe.
	\$183.866		F/A	Awarded pollution control program grant to Hoopa Valley.
	\$150.00		F/A	Awarded pollution control program grant to Hopi.
		0.08	Outreach	Met with Quechan, Kaibab Paiute, Covelo, Soboba, Cocopah, Navajo, Hopi and Walker River Tribes regarding applications for program monies.
		0.03	D/I T/A	Conducted NPDES sampling for Navajo Tribe at the Tuba City treatment plant.
			D/I	Conducted NPDES Compliance Evaluation Inspections of four Navajo Tribal Utility Authority wastewater treatment facilities: NTUA Window Rock, NTUA Ganado, NTUA Chinle, and NTUA Rough Rock.
			D/I	Conducted NPDES Compliance Evaluation Inspections of two Bureau of Indian Affairs wastewater treatment facilities: BIA Keams Canyon on the Hopi Reservation and BIA Nazilini on the Navajo Reservation.
			D/I	Conducted an unannounced Inspection of the Navajo Forest Products Industry in Navajo, New Mexico.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

**OFFICE OF WATER
CLEAN WATER ACT PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 9</i>			D/I	Participated in a multi-media enforcement group in the drafting of a Consent Agreement to be entered into with the Navajo Tribe regarding environmental problems at the Navajo Forest Products Industry site in Navajo, New Mexico and various NTUA facilities.
			D/I	Conducted a Reconnaissance Inspection of the Chemehuevi Indian Tribe's Havasu Landing Resort wastewater treatment facility and collection system.
			D/I	Drafted an Administrative Order to be issued to the Chemehuevi Indian Tribe for spills of raw sewage to Lake Havasu.
			D/I	Revised the Administrative Order issued to NTUA Tuba City.
			D/I	Drafted three NPDES permits for Navajo Tribal Utility Authority wastewater treatment facilities: NTUA Tuba City, NTUA Chinle, and NTUA Kayenta.
<i>Region 10</i>	\$41.90	0.01	D/I F/A	Awarded CWA Section 106 continuation grant to Port Gamble S'Kallam.
	\$40.00	0.01	D/I - F/A	Awarded CWA Section 106 continuation grant to Swinomish.
	\$41.90	0.01	D/I - F/A	Awarded CWA Section 106 continuation grant to Yakima.
	\$43.984	0.01	D/I F/A	Awarded CWA Section 106 continuation grant to Colville for GIS (Geographic Information System) demonstration purposes.
	\$41.90	0.01	D/I - F/A	Awarded CWA Section 106 continuation grant to Suquamish.
	\$41.90	0.01	D/I F/A	Awarded CWA Section 106 continuation grant to Lower Elwha Klallam.
	\$41.90	0.01	D/I - F/A	Awarded CWA Section 106 continuation grant to Makah.
	\$41.90	0.01	D/I - F/A	Awarded CWA Section 106 continuation grant to Muckleshoot.
	\$39.816	0.01	D/I - F/A	Awarded CWA Section 106 continuation grant to Lummi.
	\$41.90	0.01	D/I - F/A	Awarded CWA Section 106 continuation grant to Puyallup.
	\$41.90	0.02	D/I F/A - T/A	Awarded CWA Section 106 grant to Skokomish; review TAS application.
	\$43.314	0.02	D/I F/A - T/A	Reviewed TAS application; awarded CWA Section 106 grant to Chehalis.
	\$85.645	0.01	D/I F/A	Awarded tribal NPSP (non-point source project) grant to NWIF (Northwest Indian Fisheries Commission).
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Hoh Tribe.
	\$58.931	0.01	D/I F/A	Awarded model coordinated tribal NPSP grant to Jamestown Klallam Tribe.
	\$58.931	0.01	D/I F/A	Awarded model coordinated tribal NPSP grant to Lower Elwha Klallam Tribe.
	\$58.942	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Makah Tribe.
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Muckleshoot.
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Nisqually.
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Puyallup.
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Quileute.
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Quinalt Tribe.
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Skokomish.
	\$58.931	0.01	D/I - F/A	Awarded model coordinated tribal NPSP grant to Squaxin Island.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER
CLEAN WATER ACT PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 10</i>	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Colville.
	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Yakima.
	\$117.862	0.02	DI-FA	Awarded model coordinated tribal NPSP grant to Spokane and Kalispel.
	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Lummi.
	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Nooksack.
	\$176.793	0.02	DI-FA	Awarded model coordinated tribal NPSP grant to Skagit system Cooperative (Swonomish, Upper Skagit, Sauk-Suiattle).
	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Tulalip.
	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Stillaguamish.
	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Suguamish.
	\$58.931	0.01	DI-FA	Awarded model coordinated tribal NPSP grant to Port Gamble S'Klallam.
		0.02	T/A	Provided T/A and review of model coordinated tribal NPSP work plans from Colville, Port Gamble S'Kallam, Suquamish, Stillaguamish, Lummi, Tulalip, Yakima and Upper Columbia United Tribes and the Skagit System.
		0.07	T/A	Administered FY 90 CWA Section 106 grants to the NWIF and Upper Skagit; provided T/A to tribes developing WQ programs.
		0.10	T/A	Provided T/A to Colville for CWA Section 319 assessment report, management, implementation plan and grant application.
		0.02	D/I	Issued minor NPDES permit for industrial facility on Colville Indian Reservation.
		0.01	D/I	Drafted minor NPDES permit for municipal sewage treatment plant on Colville Indian Reservation.
		0.05	D/I	Inspected NPDES facility on the Tulalip Indian Reservation.
		0.05	D/I	Inspected NPDES facility on the Makah Indian Reservation.
		0.02	Outreach	Determined numbers and status of NPDES facilities on 26 Indian Reservations in WA.
		0.05	T/A Outreach	Provided on-going assistance and review of cooperative state/tribal MOU (Memorandum of Understanding) for wastewater discharge permitting on Colville Indian Reservation.
		0.25	T/A Outreach	Completed environmental needs assessment survey of the 26 tribal governments in WA.
		0.25	T/A Outreach	Cooperative agreement between Swinomish and local sewer district for construction grant project with a Reservation- wide service design.
		0.10	Outreach	Sponsored Indian Lands Program internship.
		0.02	T/A Outreach	Provided T/A for Tulalip for proposed sewage sludge project.
		0.01	T/A Outreach	Provided T/A to Quilente for CWA and other grant program applications.
		0.06	D/I T/A	Provided T/A to tribes on wetlands issues. 401 Certification process.
	\$40.00	0.05	F/A T/A	Oversaw wetlands restoration project on Skokomish Indian Reservation.
		0.02	D/I	Reviewed Puyallup Section 404 permit; met with Lummi on dredge disposal issues.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

**OFFICE OF WATER
CLEAN WATER ACT PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 10</i>	\$41.90	0.05	F/A	Awarded Coeur d'Alene Tribe 106 grant for resource planning.
		0.02	D/I	Reviewed TAS applications for Coeur d'Alene, 1-31-91.
		0.03	D/I	Coeur d'Alene Tribe signed agreement with state and EPA on 3-6-91. RA (Regional Administrator) attended and toured SF (Superfund) site/ Bunker Hill.
		0.05	D/I	Awarded Clean Lakes/Phase I grant to Coeur d'Alene Tribe.
	\$43.90	0.05	F/A	Awarded 106 CWA grant Shoshone-Bannock Tribe.
		0.02	D/I	Awarded Nez Perce Tribe funds to attend Clean Lakes conference in Chicago.
		0.01	Outreach	Mailed information to tribes on wellhead training sessions and followed-up with telephone contact.
		0.08	T/A	Assisted Tulalip Tribes in analyzing sludge requirements for disposal of sludge on the Reservation.
		0.06	D/I	Issued Nisqually NPDES permit for the tribe's fish hatchery.
		0.01	D/I	Met with Tulalip Tribes and reviewed their NPDES permit.
	\$57.66	0.02	F/A	Reviewed six wetlands proposals; awarded grant to Shoshone-Bannock for developing a comprehensive wetland management plan.
		0.04	T/A	Reviewed/ participated in Columbia River Fish Consumption Survey; provided advise on WQS.
		0.01	Outreach	Coordinated environmental education initiative involving the Squaxin Island Tribe.
		0.75	D/I T/A	Provided municipal facilities oversight of WWT grants for ten ANVs.
		0.50	D/I	Wrote NPDES and 404 permits for ANVs.
		0.08	T/A	Performed bacterial analysis for Skokomish Tribe.
		0.05	T/A	Assisted Region 10 tribes with WQS.
	\$100.00	0.15	F/A T/A	Awarded Section 314 Clean Lakes grant and assistance to the Coeur d'Alene Tribe.
	\$125.00	0.05	T/A-F/A	Assisted Colville in preparing CWA Section 319 reports.
	\$1.00		F/A	Provided F/A for Nez Perce Tribe to attend National Clean Lakes Conference.
		0.04	D/I	Developed Skagit county Sewer District 309(a) AO.
		0.08	D/I	Developed AOs for Tulalip Indian Tribe.
	\$980.00	0.20	F/A	ISA (Inter-governmental Agreement) grant to AK DEC (on behalf of the Huslia ANV) for the construction of WWTF improvements.
	\$620.00	0.20	F/A	ISA grant to PHS (on behalf of Gamble ANV) for construction of communal WWTF.
	\$561.00	0.10	F/A	Established ISA grant to PHS (on behalf of Lower Kalskag ANV) for construction of WWTF improvements.
	\$450.00	0.10	F/A	Established ISA grant to PHS (on behalf of Selawite ANV) for planning construction of WWTF improvements.
		0.20	F/A	Established ISA grant to PHS (on behalf of Tulalip Tribe) for WWTF improvements.
		0.10	F/A	Established ISA grant to PHS (on behalf of Port Gamble S'Kallam Tribe) for new WWTF.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER
CLEAN WATER ACT PROGRAMS

EXP. OFFICE	WORK (\$1,000)	YEARS	TYPE	DESCRIPTION
<i>Region 10</i>		0.10	F/A	Established ISA grant to PHS (on behalf of the Hoh Tribe) for new WWTF.
		0.10	F/A	Established ISA grant to PHS (on behalf of Nez Perce Tribe) for WWTF improvements.
		0.20	T/A	Awarded Title II grant to Swinomish Tribe for construction of new WWTF.
		0.05	T/A	Awarded Title II grant to Lummi Tribe for construction of two new WWTFs.
		0.05	T/A	Reviewed Stillaguimish application for water conservation grant
<i>HQ</i>		0.01	F/A	Assisted Region 10 in awarding grant (under Section 319) to Confederated Tribes of Colville.
		0.01	F/A	Assisted Region 4 in awarding grant (under Section 319) to Poarch Band of the Creek Indian Tribe.
<i>HQ/OW</i>	\$37.00	0.05	D/I F/A	Awarded funds to Region 5 for undertaking a comparative risk project for eleven tribes in WI; served on IWG.
		0.25	T/A Outreach	Coordinated Indian Programs; assisted tribes in understanding programs and process for applying for programs.
		0.35	D/I	Developed and coordinated Indian regulations and policies.
		0.25	D/I	Developed Indian regulations; coordinated Indian Programs.
	\$15.00	1.00	D/I	Provided policy guidance and oversight to assist the tribes in development of capability to address WQ problems.
	\$250.00	2.00	D/I	Established IAG with IHS to administer wastewater treatment grants to tribes.
<i>HW/OST</i>	\$30.00	0.25	Outreach	Conducted two multi-regional workshops on WQS for tribes.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER

SAFE DRINKING WATER PROGRAMS - UIC

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>		0.10	D/I - T/A	Continued D/I and T/A for Wampanoag and Narraganset Tribes.
<i>Region 2</i>		0.15	D/I	Administered UIC (Underground Injection Control) program for SNI.
		0.50	T/A	Provided T/A to SNI/SRMT regarding UIC program delegation.
<i>Region 5</i>	\$20.00	0.50	D/I	Established IAG with IHS to assist in direct implementation by providing an inventory of UIC wells (shallow injection wells, class V).
		0.10	T/A	Provide training on injection wells to IHS field personnel and tribal staff.
	\$35.00	0.66	F/A - T/A	Assisted Mille Lacs Reservation in development of their UIC program in the form of grants, outreach/training, and oversight.
<i>Region 6</i>		1.00	Outreach	Conducted seminars for tribes and operators; provided wide distribution of program information on Class II and Class V wells on Indian lands in NM and OK.
	\$21.40		D/I	Transferred Navajo program to Region 9.
	\$204.555	19.0	D/I - F/A	Awarded grant to Osage Tribe for UIC activities.
			Outreach	Began Class V well inventory and inspections within Osage Nation; expanded UIC Class II program to oils in OK.
<i>Region 8</i>	\$32.30	0.01	F/A	Continued second year of development grant to Fort Peck Tribes.
	\$107.00	0.20	D/I	Continued aquifer protection activities on MT, UT, WY and CO Indian lands. Special emphasis project on Southern Ute lands.
	\$1.00	0.05	T/A	Provided assistance to well operators to help protect tribal aquifers; provided support to Region 8 Indian tribes.
	\$0.50	0.05	Outreach	Conducted training for Indian Tribes regarding UIC.
<i>Region 9</i>	\$9.20	0.16	D/I	Witnessed 130+ internal mechanical integrity tests of Class II wells on Navajo lands.
		0.14	D/I	Issued 3 permits for Class II wells on Navajo lands.
		0.14	D/I	Sent out and received back comments from affected agencies concerning Navajo Nation TAS in UIC program.
	\$13.20	0.16	D/I	Began file review process on Class II wells on Navajo lands.
		0.08	D/I	Attended meetings on Aneth Field, UT.
		0.90	D/I	Maintained violation letters and Class II guidance documents.
		0.33	D/I	Negotiated an IPA (Inter-governmental Personnel Agreement) arrangements.
<i>Region 10</i>	\$30.60	0.40	D/I	Evaluated Region 10 Indian lands groundwater status; sampled identified problem areas.
	\$10.00	0.10	T/A	Cosponsored continued training program for Indian tribal leaders and water operators.
		0.20	T/A	Provided water samples analysis for general metals, pesticides, PCBs, herbicides for the Skokomish Tribe, WA.
		0.12	T/A	Provided water samples analysis for general metals for the Skokomish Tribe, WA.
		0.04	T/A	Water samples analysis for total and trihalomethanes for the Skokomish Tribe, WA.
		1.60	D/I	Work effort for sample analysis.
<i>HQ</i>	\$5.00	0.30	Outreach	Coordinated Indian programs.
	\$5.00	0.20	D/I	Assisted in implementation of data management system.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

**OFFICE OF WATER
SAFE DRINKING WATER PROGRAMS - PWSS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 2</i>	\$8.00	0.10	F/A T/A	Provided funds to SNI and SRMT for PWS (Public Water System) monitoring, testing and training.
		0.30	T/A	Provided T/A to SRMT and SNI for their PWSs.
		0.20	D/I	Administered the PWS program for SRMT and SNI.
<i>Region 4</i>	\$6.40	0.10	D/I F/A	Provided funds/training for VOC (Volatile Organic Chemical) sampling for Cherokee and Choctaw Tribes through grants from OGWDW (Office of Groundwater and Drinking Water).
		0.20	D/I	Conducted sanitary surveys of all the drinking water systems on Region 4 reservations.
		0.10	T/A	Provided T/A to all Region 4 tribes concerning their PWSs.
		0.05	T/A	Conducted a 3-day health and safety training course for Region 4 tribes.
		0.30	Outreach	Provided outreach: attended Indian PWS management/primacy conference, utilities management meeting and drinking water conference; created technology transfer and pollution prevention bulletin boards and sent various publications to Region 4 tribes.
<i>Region 6</i>	\$67.50	2.30	D/I	Implemented drinking water regulations on Indian lands in Region 6. (Funding for water sample analysis costs).
	\$1.00	0.10	T/A	Responded to gasoline spill near Sandia Pueblo (Houston lab costs).
		0.10	T/A	Approved TAS application for Cheyenne and Arapaho Tribe; conducted jurisdictional notice.
		0.10	Outreach	Participated in seminars on drinking water regulations with tribal representatives and water operators.
	\$58.00	1.00	D/I F/A	Awarded grant to Indian engineer to evaluate systems for surface water treatment regulations.
<i>Region 7</i>		0.10	T/A	Contracted with IA Rural Water Association and KS Rural Water Association to provide assistance to water operations of the Sac and Fox and Kickapoo Tribes in resolving O&M problems, etc.
	\$8.00	0.20	T/A	IAG with Aberdeen Area IHS for O&M training for tribal operators.
		0.30	D/I	Indian lands coordinator visited tribes to discuss the SDWA requirements and performed sanitary surveys of PWSs.
		0.10	D/I	Indian Program coordinator for OW attended and participated in IWG meeting in Washington, DC on May 1991.
		0.20	Outreach	Indian lands coordinator met with tribes, IHS and BIA staff to discuss water issues/ seek input into environmental programs.
		0.10	D/I	Indian lands coordinator arranged for collection and analyses of drinking water samples for VOCs, SOCs, lead and unregulated contaminants on Indian lands.
<i>Region 8</i>		0.02	T/A Outreach	Met with Ft. Belknap Community Council and Yankton Sioux Tribal members regarding TAS; reviewed Ft. Belknap's draft developmental grant proposal.
		0.05	Outreach	Cosponsored two primacy workshop with Ken Kerri in Denver, CO and Billings, MT. (17 tribes attended).
		0.50	D/I	Continued tracking, monitoring and compliance activities for PWSs, including surveys.
	\$40.00	0.20	F/A - T/A Outreach	Awarded second year developmental grant to Standing Rock Reservation; provided oversight of PWSS development grant.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER

SAFE DRINKING WATER PROGRAMS - PWSS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 8</i>		0.15	Outreach	Met with Confederated Salish, Kootenai, Assiniboine, Gros Ventre, Ft. Peck, Devils Lake Sioux, Standing Rock Sioux, CERT, Navajo Nation, Southern Ute, and Ogalla Sioux Tribes, Pine Ridge Reservation, Wind River Reservation and Standing Rock Tribal College, MT Operations Office on Drinking Water Program; mailed and distributed materials per request; met with most Tribes on one-to-one basis.
		0.45	D/I Outreach	Coordinated EPA activities on Indian reservations for Region 8.
		0.05	D/I	Updated inventories on facility conditions; provided T/A needs through the performance of sanitary surveys on Indian lands.
	\$55.00		T/A	Trainer traveled to reservations and provided O&M training for Indian water system operators through the American Water Association of SD.
	\$8.00		T/A	Provided training for eight Native Americans.
	\$2.50		D/I	Sponsored Native American Awareness Day.
	\$11.00		T/A	Provided training on SDWA requirements on Indian lands.
		0.10	T/A Outreach	Participated on Region 8 IWG; served on cultural awareness and multi-media review subcommittee; served on Water Division Inter-agency Indian Panel to improve coordination.
<i>Region 9</i>		0.50	D/I	Logged and tracked compliance data of 450+ PWSs.
		2.00	D/I	Performed sanitary surveys and inspection of PWSs on Indian lands in CA, NV, AZ and NM (Navajo).
	\$20.00	1.00	D/I	Continued IAG provided partial funding of an O&M coordinator position in Reno, NV IHS Office: training and technical advice to tribes regarding PWS management and O&M issues.
	\$10.00	0.04	D/I	Continued IAG with Phoenix area IHS to provide classroom training on utility management for water board members and other tribal officials.
	\$20.00	1.00	D/I	Established new IAG with Tuscon Area IHS office to provide continued partial funding for O&M coordinator position: training and technical advice to tribes for PWS and O&M.
	\$36.40	1.00	D/I	AARP Position: hired a data management specialist to update Indian compliance tracking program and manage data.
	\$0.20		D/I	Notified all schools and daycare centers on Indian lands in Region 9 about LCCA (Lead Contamination Control Act) and the availability of funds in Region 9 for lead testing in schools.
		1.00	D/I	Provided outreach to tribal water systems by conducting workshops and presentations on the SDWA (Sampling Techniques and Region 9 Indian Enforcement Policy, etc).
	\$32.00	1.00	D/I	Continued IAG in CA IHS office for O&M advocate (CR position); provided hands on training and support for operations in rural communities in Northern CA.
	\$20.00	0.35	D/I F/A	Awarded grant to CA Rural Water Association to provide T/A for water systems operators for 10 PWSs located on Indian lands in Central and Northern CA.
	\$23.00	1.00	D/I F/A	Awarded training grant to NTUA for water system operator training program.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF WATER

SAFE DRINKING WATER PROGRAMS - PWSS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 9</i>	\$170.00	1.00	F/A	Awarded training grant to the Navajo Nation/ Navajo EPA, after TAS approval for development of PWSS program.
		0.04	D/I	Coordinated water supply and water pollution performance evaluation studies for NTUA and Tohono O'odham.
		0.02	D/I - T/A	IHS conducted microbiological analyses.
		0.02	D/I - T/A	Performed sampling of drinking water at Duck Valley.
<i>Region 10</i>		0.01	T/A	SDWA TAS review and assistance for Lummi draft application.
	\$26.20	0.30	T/A	Cosponsored training program for tribal water operators and managers.
		0.10	T/A	Met with Region 10 tribes to discuss program primacy and rule implementation.
		0.25	T/A	Coordinated with State and ANVs on SDWA program.
		0.30	T/A	Performed Giardia analysis for Yakima Tribe.
		0.06	T/A	Performed bacterial analysis for Skokomish Tribe.
<i>HQ</i>		0.25	D/I Outreach	Provided coordination of Indian Programs.
	\$70.00	0.25	Outreach	Developed Utility Management handbook; presented workshops.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

**OFFICE OF WATER
GROUNDWATER PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 6</i>	\$50.00	1.00	T/A	Selected one tribe for funding for FY 91 WHP demonstration project; authorized under Section 1442 (b)(3) SDWA.
<i>Region 8</i>	\$6.70		T/A	Provided groundwater training for Native Americans.
<i>Region 10</i>	\$3.00	0.15	T/A	Conducted two workshops on "WHP: Tools for Indian Tribes".
		0.02	Outreach	Provided information to tribes on the opportunity to apply for wellhead demonstration grants; reviewed project proposals; and provided supplemental technical information to applicants.
		0.001	T/A	Reviewed sludge disposal proposal by Unocal for the Tulalip Reservation; commented to Tribe on potential for groundwater contamination.
		0.03	F/A	Nez Perce Tribe requested extension on groundwater grant March 31, 1991.
		0.05	T/A Outreach	Attended Shoshone-Bannock meeting to discuss groundwater work plan with technical staff.



THE OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

The basic authorities for the Prevention, Pesticides and Toxic Substances Programs are the Federal Insecticide, Fungicide and Rodenticide Act, the Federal Food, Drug and Cosmetic Act, the Toxic Substances Control Act, the Asbestos Hazard Emergency Response Act, the Asbestos Schools Hazard Abatement Act and the Emergency Planning Community Right-to-Know Act (EPCRA) of the Superfund Amendments and Reauthorization Act.

These authorizations recognize the need for protecting human health and the environment from harmful chemicals. They form the basis of the Office of Pollution Prevention, Pesticides and Toxic program activities on Indian lands.

Programs under ASHAA and the Asbestos Hazard Emergency Response Act focus on the elimination of asbestos in schools and public buildings as an existing chemical risk/hazard while other potential risks from new and existing chemicals (including pesticides) are identified, assessed, and managed under the Toxic Substance Control Act, the Federal Insecticide, Fungicide and Rodenticide Act and the Emergency Planning/Community Right to Know Act (Title III of SARA). This broad coverage enables EPA to take a variety of regulatory actions which impact on the manufacture, distribution in commerce, processing, use and disposal of chemical substances. The major initiatives in the pesticide program that will impact heavily on the tribes are certification of pesticide applicators, enforcement of regulations for pesticide use and protection against pesticides for agricultural workers, endangered species and groundwater.

To date, the states, tribes, regions and EPA have collectively focused on achieving environmental results through federal assistance (e.g., asbestos abatement and enforcement grants) and outreach (e.g., training, seminars, etc.).

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

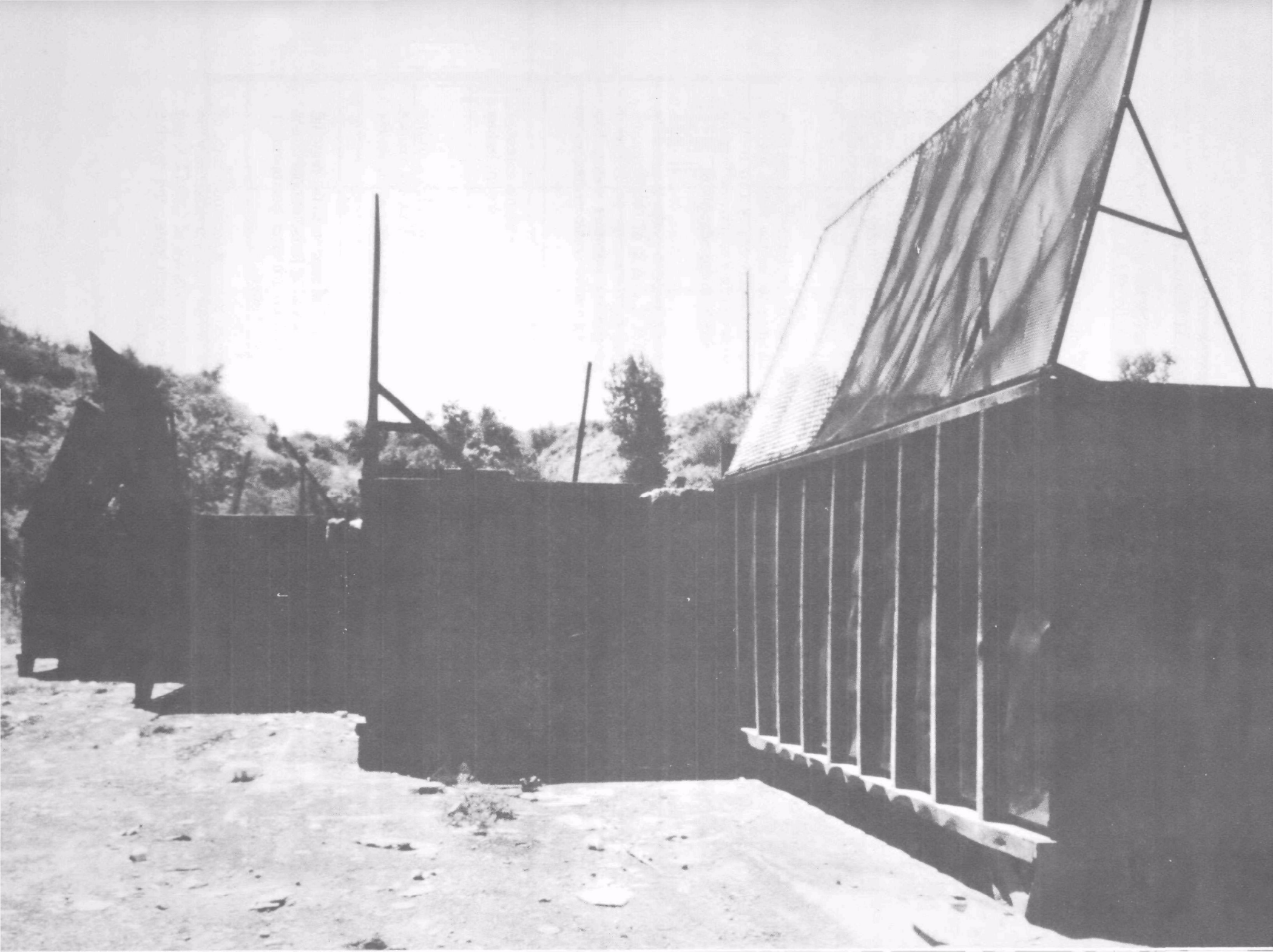
OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>		0.05	D/I	Reviewed and commented on Region 1's environmental survey Hqs. "Environmental Assessment Program for Indian Lands", and the Draft Guidance for Multi-Media Grant to Tribes. Prepared funding proposal for HQ; participated in Region 1 IWG functions; assisted with TSCA National Conference.
<i>Region 2</i>		0.20	F/A	Reviewed pesticides application by Oneida Nation. Oneida Nation declined grant.
<i>Region 4</i>			T/A Outreach	Presented EPCRA overview and tribal requirements to the Miskosukee Tribe; met with Seminole representative to initiate an MOU regarding EPCRA; collaborated with HQ and attended a Title III workshop in Boston with representatives of five Region 4 tribes.
		0.01	Outreach	Consulted with tribal personnel and coordinated with State lead Agency and tribes for upgrading, certification and training needs.
<i>Region 5</i>	\$35.00	0.02	F/A	Awarded grant to Leech Lake Tribe to develop fish sampling plan and lab analysis of fish.
	\$8.00	0.02	T/A	Assisted the White Earth Band in developing GWP program.
	\$34.90	0.27	T/A F/A	Negotiated cooperative research agreement with the Leech Lake Band of Minnesota Chippewa. (ORD HQ awarded in the fourth quarter).
		0.10	T/A Outreach	Attended FY 91 Tribal Pesticide Conference in Albuquerque, NM; commented on multi-media strategy and tribal proposals for multi-media programs; participated in RIWG.
<i>Region 6</i>	\$1.05	0.01	Outreach	Held meeting for Region 6 states on EPCRA & 313 issues (Acoma Pueblo and Shawnee attended; EPA funded the travel expenses for tribal representatives).
		0.01	Outreach	Attended OCM Tribal Pesticide Conference tribal pesticide workshop in Albuquerque, NM.
<i>Region 7</i>		0.05	D/I	Assisted Region 7 tribes in applying for pesticide certification and enforcement program under FIFRA.
		0.01	D/I	Participated as presenter at 1991 Tribal Pesticide Conference.
	\$31.083	0.10	F/A	Awarded grant to the Santee Sioux Tribe for implementation of a pesticide enforcement and certification program.
	\$33.60	0.10	F/A	Awarded grant to the Winnebago Tribe for implementation of a pesticide enforcement and certification program.
	\$36.608	0.10	F/A	Awarded grant to Omaha Tribe for implementation of pesticide enforcement and certification program.
	\$4.20		F/A	Santee Sioux administered pesticide applicator C&T program. (certification and training).
	\$7.40		F/A	Administered a C&T (certification & training) program for the Omaha Tribe.
	\$1.30		F/A	Administered a C&T program for Winnebago Tribe.
<i>Region 8</i>	\$14.00		F/A	Developed plans for GWP and worker protection programs for Oglala Sioux.
	\$13.09		F/A	Developed plans for GWP and worker protection programs for Cheyenne River Sioux.
	\$20.87		F/A	Developed GWP program for Rosebud Sioux.

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 8</i>	\$135.634	0.30	F/A	Awarded pesticide enforcement grants to Cheyenne River, Pine Ridge, Rosebud, Standing Rock and Three Affiliated Tribes.
	\$38.89	0.10	F/A	Awarded GWP grants to Pine Ridge, Three Affiliated Tribes and Cheyenne River.
	\$9.09	0.10	F/A	Awarded worker protection grants to Pine Ridge and Cheyenne River.
		0.01	T/A	Sponsored a pesticide enforcement grant writing workshop for Region 7 and Region 8 tribes.
		0.05	T/A	Approved pesticide applicator certification plans and negotiated cooperative enforcement agreements for Rosebud and Cheyenne River Sioux Tribes.
	\$10.00		F/A	Awarded Standing Rock Tribe a pesticide enforcement grant.
	\$125.634		F/A	Made five pesticide enforcement agreements with the Cheyenne River, Oglala, Rosebud Sioux Tribes and the affiliated tribes.
	\$55.00	0.01	F/A T/A	Awarded grant to Native American Fish and Wildlife Society for pesticide management, T/A and training.
	\$5.00	0.01	F/A T/A	Participated in grant to the Nature Conservancy Endangered Species' programs for field guide for UT tribes. (\$55K funded by US Forest Service, US Fish and Wildlife Service, Bureau of Land Management, NPS).
<i>Region 9</i>	\$81.50	0.25	F/A	Awarded continuation pesticide enforcement grant to Navajo Nation to enforce FIFRA on the Reservation.
	\$5.00	0.10	F/A	Awarded project grant to the Navajo Nation for the development of an endangered species protection program on the Reservation.
	\$8.00	0.10	F/A	Awarded project grant to the Navajo Nation for the development of GWP program on the Reservation.
	\$20.80	0.10	F/A	Awarded project grant to Navajo Nation for the development of worker protection standards for agricultural pesticides program on the Reservation.
	\$280.00	2.00	F/A	Awarded grant to ITCA for pesticides enforcement of FIFRA. (Tribes included in grant were Gila River, Salt River, Cocopah, Quechan, Ft. Mojave, Colorado River and AK Chin).
	\$34.80	0.70	F/A	Provided funding to ITCA to develop GWP management plan for pesticides.
	\$20.80	0.20	F/A	Awarded grant to ITCA for worker protection. (Tribes included in the grant were Gila River, Salt River, Ft. Mojave, Cocopah, Quechan, Colorado River and AK Chin).
	\$5.00	0.10	F/A	Continued endangered species program for seven AZ tribes.
	\$15.00		F/A	Awarded contract to Navajo Nation to translate pesticide brochures/pamphlets into Navajo, develop Navajo language radio announcements on pesticide safety and produce Navajo language video tape on safe and proper spraying of livestock for pest control.
<i>Region 10</i>	\$33.87		F/A	Administered a C&T program and implemented GWP and worker protection programs for Shoshone-Bannock Tribe.
	\$30.00		F/A T/A	Awarded a pesticide enforcement grant to Shoshone-Bannock to assist with the implementation of tribal pesticide code and the certification program.

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 10</i>	\$58.00	0.15	F/A	Awarded pesticide enforcement grant to Shoshone-Bannock.
		0.02	Outreach	Attended North American ID Womens Association workshop to recruit Indians.
		0.02	Outreach	Assisted Pesticides Program upon review of Shoshone-Bannock Reservation.
		0.01	T/A	Provided information to Yakima Indian Nation for development of pesticide grant request and work plan.
		0.03	T/A	Sponsored enforcement training workshop for Indian tribal and SIA personnel.
		0.01	Outreach	Met with Yakima Indian personnel during pesticide workshop to discuss development of pesticide enforcement and other pesticide programs.
	\$24.00		F/A	Developed asbestos management program for the Shoshone-Bannock Tribes.
<i>HQ</i>	\$20.00	0.10	F/A T/A	FOD provided partial funding for a pesticide workshop in Albuquerque, NM (OCM paid for remaining cost of CERT grants).
		0.20	D/I	Participated on Cultural Diversity and Environmental Equity Task Forces.
		0.15	D/I	Participated on Indian Heritage Celebration Task Force.
		0.25	Outreach	Recruited Native Americans and developed a support system for them.
	\$60.00	0.15	F/A T/A	Awarded grant to CERT to coordinate FIFRA tribal enforcement conference in April 1991. (Tribal representatives from Region 5-10 in attendance).
	\$70.00	0.15	F/A T/A	Awarded grant to Art Association to coordinate TSCA tribal enforcement conference in November 1991. (TWG members and Tribal representatives from Region 1-10) were invited.
	\$75.00	0.40	F/A Outreach	Awarded grants to the AISES (American Indians Science and Engineering Society) for environmental scholarships.
	\$67.80	0.20	F/A	Awarded loans and grants to tribes for five in-school asbestos projects.
	\$24.00	0.10	F/A	Awarded funds to tribes for asbestos schools certification and training.
		0.10	D/I	Assisted BIA in multi-media toxics in-schools conference and provided training.
	\$14.67	0.10	T/A	Developed the Tribal Enforcement Cooperative Agreement Application Manual.
		0.10	T/A	Participated in development of training manual and in conduct of training of tribal leaders with AIO.



THE OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The programs administered by the Office of Solid Waste and Emergency Response are authorized by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984, and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act of 1986.

EPA's goals in these areas are to protect human health and the environment by addressing hazardous substance emergencies and uncontrolled hazardous waste sites; to ensure proper ongoing management and closure of solid and hazardous waste facilities; to prevent leaks from underground storage tanks and to conduct corrective actions for leaks that threaten human health and the environment; and, to promote community awareness of chemical hazards; and to develop state and tribal capabilities for preventing and responding to chemical accidents and emergencies.

In FY 91 the Office of Solid Waste's greatest challenge in implementing the EPA Indian Policy involved efforts to provide technical assistance to Indian tribes for the implementation of Subtitle D of Resource Conservation and Recovery Act in Indian Country. Toward this end the Office of Solid Waste has been working to provide funding to Indian tribes for technical training and to develop Solid Waste Management plans.

In addition to this work, the Office of Solid Waste has continued to evaluate statutory and regulatory issues regarding implementation of Subtitles C and D of the Resource Conservation and Recovery Act in Indian Country. As part of this evaluation, the Office of Solid Waste has previously included recommendations regarding statutory changes to RCRA as it pertains to Indian lands in its Report to Congress on solid waste management in the United States.

The Office of Underground Storage Tanks continued its efforts to assess the extent of human health and environmental problems caused by underground storage tanks on Indian lands.

The Chemical Emergency Preparedness and Prevention Office provides training services through the Superfund Amendments and Reauthorization Act Title III. It has developed and published a proposed rule on the treatment of Indian tribes as states for purposes of Title III.

The Office of Waste Programs Enforcement provides technical support to the regional offices concerning enforcement issues on Indian lands; is investigating jurisdictional issues relating to enforcement of Subtitle D on Indian lands; and coordinates performance standards and natural resource damage claims for CERCLA statements.

The Office of Emergency and Remedial Response continued to stress the importance of EPA/Tribal relationships by affording governing bodies of Indian Tribes substantially the same treatment it would afford to States with respect to certain provisions of CERCLA and providing opportunities as individuals and communities to participate, and receive technical assistance to understand the problems impacting them.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

RCRA PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>		0.05	D/I	RCRA staff participated on regional IWG; reviewed Region 1 environmental survey for tribes; researched Passamaquoddy Indian Township landfill compliance.
<i>Region 4</i>	\$23.50	0.10	F/A	Awarded recycling program grant to the Mississippi Band of Choctaw Indians for recycling and SWM planning.
	\$54.00	0.05	F/A	Grant to Cherokee for recycling SW management planning.
	\$15.745	0.10	F/A	Awarded recycling program grant to Miccosukee.
	\$9.50	0.10	F/A	Awarded SWM grant to Poarch Band of Creek Indians.
	\$20.00	0.10	F/A	Awarded SWM grant to Seminole Tribe.
<i>Region 5</i>	\$50.00	0.015	F/A T/A	Monitored assistance grant to Bois Forte Reservation project to develop SWM for the Reservation.
	\$65.00	0.015	F/A T/A	Monitored SWM assistance grant to Leech Lake Reservation to develop a SWM plan and a closure/ post closure plan for existing landfill.
	\$10.00	0.015	F/A T/A	Monitored SWM assistance grant to Menominee Indian Tribe project to develop recycling program for Reservation.
	\$50.00	0.015	F/A T/A	Monitored SWM assistance grant to the Mille Lacs Band of Chippewa Indians project to develop SWM plan for Reservation.
	\$30.00	0.030	F/A T/A	Awarded SWM assistance grant to Red Lake Band of Chippewa for the development of a SWM plan on the Reservation.
		0.045	T/A	Reviewed and commented on applications.
			T/A	Commented on agenda for Subtitle D Indian Lands Retreat.
		0.01	T/A	Attended Subtitle D Indian Lands Retreat on April 9-10, 1991, in Washington, DC.
		0.005	T/A	Attended workshop on Indian SWM issues in conjunction with RIT meeting on June 13, 1991 in Denver, CO.
		0.02	T/A	Attended workshop for Region 5 tribes at Lac du Flambeau, WI; made presentation on Subtitle D, Aug. 6-9, 1991.
		0.10	D/I	Coordinated with Indian environmental liaisons to identify facilities on Indian land subject to RCRA Subtitle C. (TES contractor did inspections).
		0.05	T/A	Reviewed final UWEX circuit report and confirmed existing UST (Underground Storage Tanks) notification database; updated tribal Chairman list.
		0.02	T/A	Identified tribal land as Federal, Fee, Trust or other.
		0.02	T/A	Developed MOA between Minnesota Chippewa Tribe, MPCAS and Region 5.
		0.05	T/A	Sent letters to Region 5 tribes to encourage them to notify the Regional office or State UST Agency regarding new UST installation or previously unidentified UST removal.
		0.05	T/A	Summer intern and UST coordinator assisted with UST closures via letters, phone conversation and site visits.

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE**RCRA PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 5</i>		0.05	T/A	Ensured USTs met current UST requirements.
		0.05	T/A	Sent reminder letters to those owners/operators (identified via CR inventory report) who did not notify the Agency about their tanks; mailed information on leak detection requirements.
<i>Region 6</i>		0.01	T/A	Provided outreach: solicited support for tribal consortium and sponsored information on-site workshops (UST requirements) with ten tribal governments.
		0.05	D/I T/A	Conducted three organizational meetings with the 19 Pueblo Governors on the formation of UST Consortium in NM and designation of a single agency to serve as UST Tribal Office.
		0.08	D/I T/A	Obtained formal resolution of AIPC (All Indian Pueblo Council of NM) to establish POEP (Pueblo Office of Environmental Protection) and to designate the Office as lead UST Agency to serve all 19 Pueblos and also to serve as single point of EPA contract for development of a tribally-run UST program in NM.
		0.03	D/I T/A	Negotiated space/support agreements necessary for placement of on-site UST Indian lands liaison in NM with AIPC; obtained formal agreement for AIPC to sponsor and house the liaison.
	\$50.00	0.04	F/A	Transferred \$50,000 in Region: LUST trust fund allocation into SEE program contract for purpose of establishing Indian Lands Liaison in NM to serve as point of contact for all Indian lands UST activities.
		0.04	T/A	Coordinated Indian land responses for regional information requests; updated Regional UST database for all Indian lands tank population.
		0.03	D/I Outreach	Developed UST materials for distribution to Region 6 tribal governments along with recommendations for viable program alternatives to direct funding.
		0.01	T/A	Distributed UST technical regulations/publications to Region 6 tribal governments upon request and at organizational meetings with governmental leaders.
		0.02	T/A	Provided overall UST Indian land program coordination within EPA regional office and with state programs.
		0.01	T/A	Coordinated and presented Indian sensitivity training to Region 6 OUST and RCRA staff members.
		0.03	D/I	Responded to and coordinated tribal land release reports and remediation efforts, including technical review of corrective action plans in conformance with UST regulations.
		0.05	D/I	Participated on Region 6 IWG strategy/work plan development.
		0.04	D/I	Coordinated five Region (5, 6, 8, 9, 10) OUST Indian Strategy Workgroup meeting; participation in OUST IWG activities (Strategy revision, guidance development, etc.).
		0.03	D/I	Coordinated OUST Indian activities with SF and SW (Solid Waste), including joint orientation between programs and tribal governments.
		0.05	D/I	Assessed current SWM practices and need for Native American communities in NM.
		0.05	F/A	Continued to monitor grant awarded to the Northeast Advisory Committee for the collection of data on SW disposal systems to meet present and future needs in OK. (Members of Cherokee Nation sit on the Committee).

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

RCRA PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 6</i>		0.10	D/I	Continued work to identify and rank regulated RCRA HW (Hazardous Waste) handlers operating on lands under jurisdiction of Indian tribes in Region 6.
		0.05	F/A	Continued to monitor grant to Zuni Pueblo (NM) to implement a SW education and outreach program, which involves both the Zuni school and community. Deliverables include development of pilot composting project and a "how to" video documentary; school/community education on SW reduction and recycling, as well as a poster contest; development of advisory board report and recommendations for Zuni SWM; development of statistical reports to evaluate progress and products of project.
	\$10.70	0.05	F/A	Awarded grant to Zuni Pueblo (NM) to establish a "systems" approach as model for SWM and reduction for Native American communities. The Zuni goals: a visibly clean environment on the Zuni Reservation, a sustained recycling center and a five year integrated SWM plan by 1992.
	\$66.00		T/A	Identified HW handlers on Indians lands.
	\$3.00		T/A	Conducted RCRA training for tribes.
	\$48.013		T/A	Provided assistance in developing a SW education and outreach program for Pueblo of Zuni.
	\$100.00	0.05	F/A	Awarded grant to the Eight Northern Indian Pueblos Council to establish a comprehensive SWM plan for the Eight Member Pueblos, which will include data collection and analysis of SW produced now and in the past, and disposed of in existing dump sites, policy development for handling new and old waste, development of standards/codes/regulatory process, monitoring and enforcement of standards and codes, community education and staff development and training for handling SW.
<i>Region 7</i>		0.02	T/A	Surveyed open dump and made recommendations on closure procedures and ordinance/code to prevent open dumping and alternative collection/disposal methods, at Kickapoo Tribe and IHS request. (Kickapoo closed the dump and instituted contract collection disposal services via green box).
		0.04	Outreach	Prepared a regional SW strategy; assembled support information for tribes to use in improving SWM on reservations.
		0.08	T/A	Assisted on a new tank installation to assure proper installation procedures and adequate operation, at the request of the Sac and Fox Tribe; identified and corrected problems with IHS contractor meeting UST requirements at site.
<i>Region 8</i>	\$40.00	0.02	D/I	Conducted LUST cleanup at Wind River.
	\$0.50	0.01	D/I	Inspected UST closure at Yankton.
	\$3.00	0.08	D/I	Conducted UST leak detection inspections.
	\$25.00	0.01	F/A Outreach	Awarded grants for the UST program implementation costs and equipment to Region 8 tribes.
	\$5.00	0.01	D/I	Oversaw state-led LUST cleanup at Wind River, Rosebud and Pine Ridge.
	\$5.00	0.04	Outreach	Provided community relations training.
		0.08	D/I	Conducted site visit at Turtle Mountain as part of RCRA RFA.
		0.10	D/I	Issued warning letter at Hercules regarding RCRA violations.
	\$15.00	0.30	D/I - T/A Outreach	Provided overall coordination of UST/LUST program for Indian lands.

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE**RCRA PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
Region 8	\$1.00	0.01	D/I	Inspected for release detection compliance on sites at Cheyenne River Reservation.
	\$4.00	0.08	D/I	Developed MOA between tribe/state/EPA for UST programs on on Rosebud and Wind River Reservations.
	\$50.00	0.10	D/I	Conducted LUST site assessment at Wind River Reservation.
	\$1.00	0.05	D/I	Sent letters for UST/LUST release detection compliance to Indian land sites within Region 8.
		0.30	D/I T/A Outreach	Provided overall SW coordination including program oversight, T/A and program development for Ft. Totten, Unintah, Ouray, Wind River, Northern Cheyenne, Blackfeet, Ft. Belknap, Ft. Berthold, Rocky Boys, Standing Rock, Southern Ute, Cheyenne River, Rosebud and Pine Ridge Reservations; coordinated activities that included assistance, involvement, and cooperation from IHS, BIA, HUD and individual states.
	\$20.00	0.05	F/A	Awarded grant to Northern Cheyenne Tribe and its consultant, Indian Affiliates of Orem, UT, on the feasibility of setting up a tribally run SW conversion, reuse and recycling program.
		0.10	T/A	Reviewed proposals for building a SW landfill on Rosebud Reservation where off-reservation SW would be shipped to the landfill; met with BIA and potential builder of landfill. BIA became lead Agency for developing EIS (Environmental Impact Statement). EPA will review Rosebud SW codes and will be involved in public hearings and meetings.
		0.10	T/A Outreach	Provided SW coordination including program oversight, T/A and program development for the Pine Ridge Reservation as it complies with a Court ordered clean up program. (Sites were closed and cleaned up with new sites being constructed. The new sites comply with SD regulations and EPA Part 257. Tribe is developing own landfill operation rules and developing SW codes/ordinances).
		0.03	Outreach	Established IAG with IHS (Phoenix, AZ); hired contractor to develop a Unintah and Ouray Reservation wide SWM study and landfill operations plan. (Plan will include a system to manage SW generated by communities near Reservation).
	\$20.00	0.10	T/A Outreach	Assisted OSW HQ in development and implementation of a SWM plan to include a Reservation-wide collection/disposal system for the Ft. Belknap Reservation. Program will include participation and funding from EPA (OSW), HUD, BIA, IHS and the Tribe.
		0.50	T/A	Assisted tribes and Federal agencies in development of landfill programs.
		0.10	D/I	Developed regional enforcement strategy for Indian lands.
		0.20	T/A	Provided T/A on MSWLF criteria.
	\$13.373		T/A	Provided SW management assistance for Ft. Belknap and Rocky Boys Reservations.
	\$13.50		T/A	Provided SWM assistance for Rosebud Sioux Tribe.
	\$20.00		T/A	Conducted recycling feasibility study for Northern Cheyenne.
		0.05	T/A	Investigated Subtitle C issues.

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE**RCRA PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 9</i>		0.50	D/I T/A	Addressed LUSTs on tribal lands; oversaw UST and LUST activities relating to compliance with UST regulations.
	\$50.00	1.00	D/I T/A Outreach	Continued AZ Circuit Rider position to investigate UST-related human health and environmental problems on Indian lands. (Funding awarded through contract with National Council of Senior Citizens).
		0.01	Outreach	Participated in RCRA information exchange with AZ tribes. Meeting was co-hosted by EPA and ITCA to discuss RCRA issues on Indian lands, possible funding sources, direction of RCRA programs and training needs.
	\$55.00	0.05	F/A T/A	Awarded grant to Navajo Nation for assistance in UST/LUST program implementation and compliance.
		0.10	F/A	Continued second year of IAG with IHS Tuscon area office to assist Tohono O'odham Nation in development of SWM plan and assessment of SWM on Reservation.
	\$125.00	0.25	F/A Outreach	Contracted to assess SWM on CA and NV reservations with limited T/A.
	\$15.00	0.25	T/A Outreach	Two SEE staff performed SW assessments of some AZ reservations. (Project included limited T/A to the tribes).
	\$10.00	0.10	F/A T/A	Prepared and oversaw work assignment for contractor review of EIS for proposed commercial landfill on Campo Reservation; reviewed EIS and contract monitoring.
		0.20	T/A	Analyzed the review options of EISs for proposed landfills on Indian lands.
	\$20.00	0.30	T/A Outreach	Led SW program and served as liaison to all 139 Region 9 tribes.
		0.038	D/I	Entered into consent agreement with facility on Gila River Indian Reservation to correct HW violations.
	\$14.50	0.10	D/I	Conducted oversight of TSD on Gila River Indian Reservation, consisting of sampling and remediation activities.
	\$3.00	0.06	D/I	Conducted sampling oversight; reviewed sampling results; finalized closure plan for facility at Gila River.
	\$5.00	0.13	D/I	Negotiated and entered into consent agreement with facility on Navajo Reservation requiring sampling; collected penalty of \$113.5K; conducted oversight of sampling activities.
	\$35.00	0.06	D/I	Reviewed part B application for TSD facility on La Posta Reservation; prepared community outreach information.
		0.02	D/I	Evaluated Navajo grant proposal to fund training/inspections.
		0.05	T/A	Participated in drafting RCRA regulatory language for tribes to obtain authorization for RCRA. (Reviewed discussion paper, regulatory language and attendance at work group meetings).
	\$40.00	0.04	F/A	Awarded RCRA 8001 grant to Gila River Indian Reservation.
		0.50	D/I Outreach	Conducted four inspections on the Navajo and Gila River Reservations in coordination with tribal representatives; drafted three formal and one informal enforcement actions.
		0.08	Outreach	Provided training for AZ tribes on HW emergency response/generator identification; coordinated through ITCA.
		0.058	D/I	Reviewed data base information to determine the number of regulated facilities on Indian lands.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

RCRA PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 9</i>	\$0.20	0.30	T/A Outreach	Organized National EPA Indian Lands Retreat; met with CRIT (Colorado River Indian Tribe), Barona, Campo Tribes and ITCA; provided assistance to BIA for NEPA process and input to HQ work plan.
	\$60.00		T/A	Developed SWM plan for Tohono O'Odham Tribe.
<i>Region 10</i>	\$30.00	0.15	Outreach	Native Alaskan Education Project.
		0.10	T/A	Investigated HW incidents on Swinomish and Colville Indian Reservations.
	\$100.00	0.35	D/I F/A T/A Outreach	Provided funds to IHS to foster tribal compliance; identified non-notifiers and abandoned tanks. (CR contacted each tribe at least once in FY 91 to determine whether it had regulated USTs. All reservations with known regulated USTs were visited at least once and some were visited multiple times).
		0.25	D/I T/A	Provided oversight of cleanups on the Yakima, Puyallup, Nez Perce, Tulalip, Umatilla and Warm Springs Reservations.
		0.10	D/I	IHS CR completed tribal capacity evaluations to determine who to target for program development activities, should funding materialize.
		0.05	Outreach	Mailed information to tribes on legislative changes, temporary tank permits and re-notification forms.
		0.15	D/I	Began enforcement for a variety of UST regulatory violations for sites on Quinalt, Suquamish, Yakima, Umatilla and Warm Springs Reservations.
		0.70	D/I	Began Indian lands UST database conversion and renotification process; processed previously unknown closures and unidentified UST sites and recent closures/ changes.
		0.05	T/A	Investigated and responded to a LUST (Leaking Underground Storage Tank) site on Yakima Indian Reservation.
	\$60.00	0.15	Outreach	SWAT Team: hired coordinators to establish a multi-agency team of experts/resources to assist tribes with all phases of SW.
	\$90.50	0.15	Outreach	Developed educational curriculum (Native Alaska Educational Management project) to teach improved SWM practices on ANVs.
	\$5.00	0.01	Outreach	Established a tribal peer match program to provide SWM assistance on tribal lands.
	\$6.00	0.10	T/A	Provided T/A to Coeur d'Alene on their concerns about potential impacts from Kootenai County landfill construction adjacent to tribal lands.
		0.03	Outreach	Tribal liaison assisted with SARA Title III workshop for tribal members in February 1991. (Coeur d'Alene was sponsored by Federal Emergency Management Agency, National Congress of American Indians and EPA).
		0.10	Outreach	Coeur d'Alene Tribe requested intervention in Fighting Creek landfill - being constructed adjacent to Reservation by Kootenai County. Meetings were held in November (1990), January, March and April (1991). Region 10 had extensive involvement. (The tribe requested funding for review analysis on area, but later changed its mind and requested groundwater monitoring).

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

RCRA PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 10</i>		0.05	T/A	Shoshone-Bannock requested input of Youngstrom Log Home site for possible contamination. (The area was closed in April and in July it was visited and reviewed).
<i>HQ/OWPE</i>	\$20.00		D/I	Implemented aspects of RCRA HW programs at Gila River; trained inspectors; took inventory of HW handlers; evaluated RCRA regulations to determine which to adopt.
<i>HQ/IOUST</i>		0.10	D/I	Coordinated general program with OFA, OGC, other OSWER and regional offices.
		0.05	D/I	Developed implementation tool kit for Indian lands for use by regional offices.
	\$17.00		D/I	Provided contractor support to Regions for technical review of site assessments and corrective action plans.
	\$210.00		D/I	Funded CRs in Regions 5, 6, 8, 9 and 10.
		0.10	D/I	Provided administrative support.
	\$8.00	0.20	D/I	Developed new national Indian lands strategy with contractor support.
<i>HQ/OSW</i>		0.30	T/A Outreach	Participated in intragency and inter-agency workgroups; briefed congressional staff, senior EPA management; met with tribes; initiated, maintained communications network; provided RCRA training to BIA, IHS, staff upon request.
	\$25.00	0.10	F/A	Supported two regional tribal environmental coalition meetings; assisted tribes in developing/presenting agenda and compiling/distributing minutes.
	\$1.805	0.05	T/A	Provided T/A to MS Choctaw for development of SWM code.
	\$51.00	0.10	F/A	Provided F/A for tribal representatives to attend/participate in EPA orientation training; developed agenda for Native American workshop.
		0.05	F/A	Initiated rule development for Subtitle C delegation to tribes.
	\$21.205	0.20	T/A	Initiated inter-agency pilot project for Ft. Belknap Reservation.
	\$10.00	0.005	F/A	Provided funding to Region 1 for development of Indian cultural and sensitivity training for EPA staff.
	\$175.00	2.60	Outreach	Reviewed implementation rule for MSWLF criteria and tribes eligible for permit program approval.
	\$15.00	0.005	F/A	Provided funding to Region 4 to support Cherokee recycling and peer match programs.
	\$60.00	0.005	F/A	Provided funding to Region 10 to support Native Alaskan SWM outreach and education program.
	\$16.113	0.20	T/A Outreach	Developed newsletter for tribes in effort to establish network of communications.
	\$3.00	0.005	F/A	Provided F/A to NCAI at 2.5 day environmental conference.
	\$12.500	0.005	F/A	Provided funding to Region 5 for development of a closure plan for the Hannahville (MI) landfill.
	\$30.00	0.20	T/A	Examined and investigated jurisdictional issues relating to enforcement of Subtitle D on Indian lands.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

CERCLA/SARA PROGRAMS

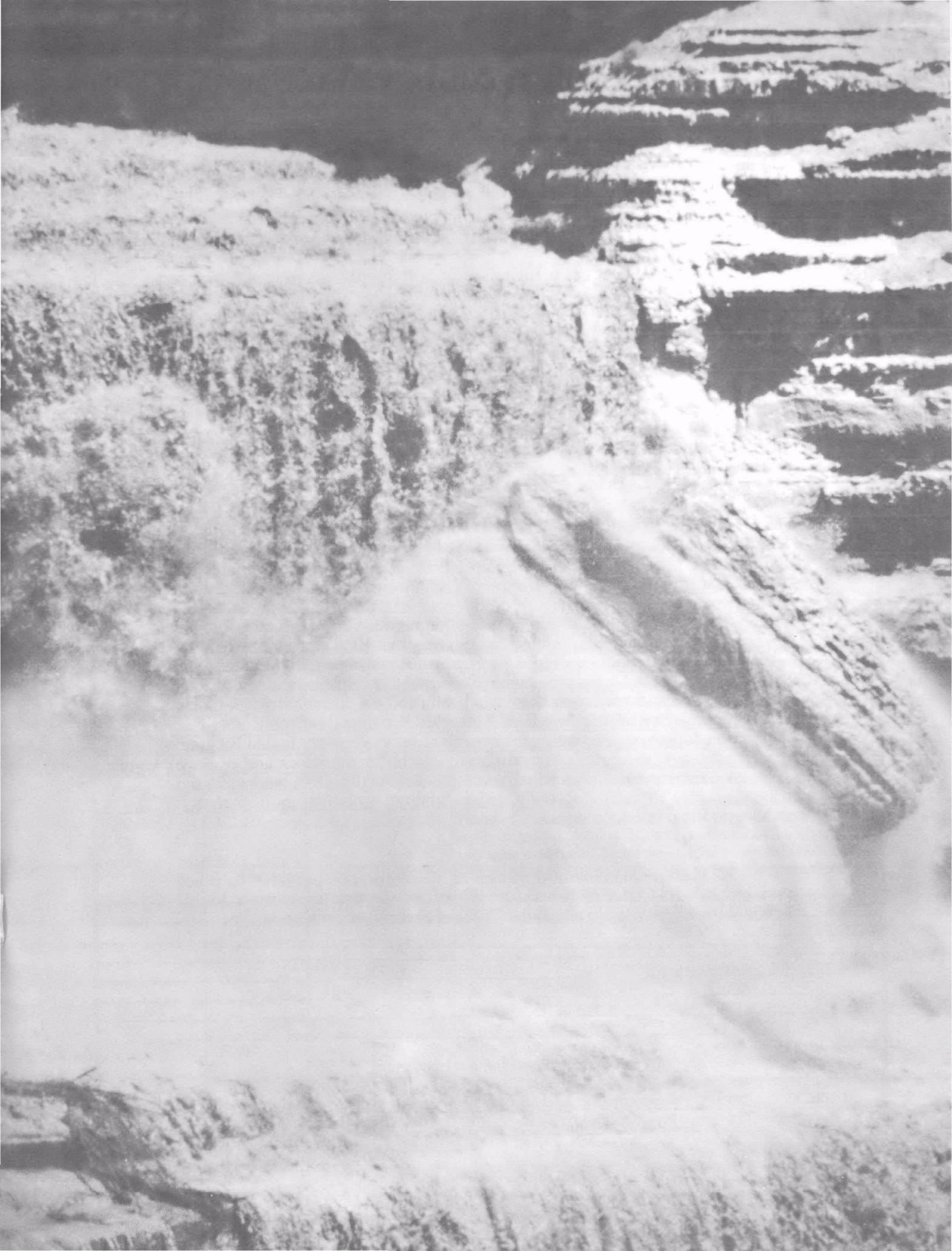
OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>		0.10	D/I	Assisted NCAI, FEMA and CEPPPO in coordinating a SARA Title III conference in Region 1; provided information materials to New England tribes; participated in tribal visit to Penobscot and participate in Region 1 IWG.
<i>Region 2</i>	\$9.00	0.20	D/I Outreach	Conducted meetings with Tuscarora Nation on UST program; took preliminary measures to have Indian UST owners register their tanks.
		0.10	T/A	Developed and finalized work plan and budget for SF core grant for SRMT.
	\$40.00	0.10	D/I - F/A	Oversaw management of SWM grant for SRMT.
		0.20	Outreach	Managed review committee meeting with SRMT and State for Massena area.
	\$18.00	0.20	T/A	Provided SF removal action of medical waste at Onondaga Nation drum site.
		0.50	T/A	Maintained close liaison and provided legal and T/A to SRMT on proposed remedial action plan for the GM Central Foundry SF site, which borders on the reservation; coordinated with SRMT and national resource trustees in development of MOA for Massena area sites; formed a three party team, with the SRMT and NESPDES, to negotiate remedial action for the GM Central Foundry SF site.
		0.20	D/I	Assisted in enforcement action on SNI lands for oil spills under CERCLA/ SARA and CWA Section 311K.
		0.25	F/A	Managed core grant to SRMT for T/A relating to GM Central Foundry SF site.
	\$15.00	0.20	T/A	Removed 400 bags of asbestos that were dumped on Gibson Rd. at Onondaga Nation. (NY is prosecuting the dumper).
	\$4.00	0.10	T/A	Secured site and contained the material where Black Beauty Sand Blasting dumped on Onondaga land.
		0.10	T/A	Investigated report of 55 gallon drum adjacent to SRMT land in St. Lawrence.
<i>Region 5</i>	\$50.00	0.15	T/A	Continued cooperative agreement enabling the Oneida Tribe to participate in the Ft. Howard RI/FS.
		0.01	T/A	Reviewed and commented on multi-media project plan grants proposals by Region 5 tribes.
		0.02	T/A	Reviewed and commented on 10 multi-media (FY91) proposals from Region 5 tribes; rated tribes' Title III program elements.
		0.01	T/A	Contracted the Technical Assistance Team (TAT) to re-write the Region 5 First Responders Course, emphasizing tribal concerns and treaty rights.
		0.01	T/A	Final First Responders Course Draft completed.
		0.01	T/A	Reviewed and commented on Draft Protocol Manual "Environmental Assessment Programs for Indian lands."
		0.025	T/A	Reviewed FY '92 grant proposals for Region 5 tribes.
		0.015	T/A	Reviewed "Chemicals on Your Reservation" bulletin and provided comments to HQ.
		0.01	T/A	Provided sample of HAZMAT team equipment list to Minnesota Chippewa Tribe.

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE**CERCLA/SARA PROGRAMS**

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 6</i>	\$150.00		F/A	Awarded core program cooperative agreement for Cherokee.
	\$221.00		F/A	Awarded pre-remedial cooperative agreement for Cherokee.
	\$30.00		F/A	Awarded support Agency cooperative agreement award to Navajo or Prewitt and United Nuclear NPL sites.
	\$350.00		F/A	Awarded core program cooperative agreement for 19 Pueblo Reservations Consortium of NM.
		1.00	D/I - T/A	Oversaw development of tribal SF program.
		0.05	D/I	Participated in IWG.
		0.10	D/I	Organized four quarterly meetings with Navajo SF staff, which involved both negotiating and planning.
		0.05	D/I	Provided SF/UST coordination with 19 Pueblo consortium.
	\$10.00		F/A	Awarded funds to support travel costs for development and oversight of tribal SF programs and to brief the HQ staff on regional Indian activities.
<i>Region 8</i>	\$10.00		D/I	Provided emergency removal of drums at Lodgegrass.
	\$7.50		D/I	Provided emergency removal of drums at Ft. Duchesne.
	\$4.112		D/I	Conducted PA/SI at Old Poplar landfill.
	\$12.557		D/I	Conducted PA/SI at Tuscon/Hebrew Academy.
	\$4.777		D/I	Conducted PA/SI at Old Agency Landfill.
	\$1.798		D/I	Conducted PA/SI at Turtle Mountain landfill.
	\$9.734		D/I	Conducted PA/SI of Pesticides at Loneman.
	\$2.487		D/I	Conducted PA/SI of PCB spill at Antelope.
	\$1.385		D/I	Conducted PA/SI at Red Shirt Table Elementary School.
<i>Region 9</i>		0.30	T/A	Native American Title III Coordinator provided T/A to tribes in Region 9 on SARA Title III & proposals for 305(a) and Title III grants; participated in review of said grants.
			T/A	Participated in planning meeting for CRIT's functional exercise of their chemical emergency plan.
		1.0	Outreach	Coordinated with other EPA offices engaged in environmental Indian Programs; participated in regional IWG conference calls with EPA HQ twice a month and national IWG meetings twice a year; sent letter to Region 9 tribes inviting them to RRT meetings followed up calls; acted as liaison and participated in securing speakers for EPA HQ Title III workshop for tribal chairpersons held in San Diego; mailed Title III publications and instructional materials, monthly newsletter to the tribes.
		0.10	T/A	Provided management T/A of Title III Indian Program; made presentations on Title III at workshop in San Diego, tribal meeting in San Francisco and Reno.
	\$11.25		F/A	Provided 150 TAT hours for CRIT exercise: video taped exercise and made into a booklet for other Indian tribes that are training.
	\$300.00	8.00	F/A	Navajo SF Program received EPA funding to perform site assessments. (In FY 91, NSP performed 20 site inspections and preliminary assessments. The NSP also conducted an active site discovery program and assisted EPA by participating in national site assessment work group).
		0.20	D/I	Assessed possible removal action at Navajo Blue Lake Uranium Mill site.

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE
CERCLA/SARA PROGRAMS

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 10</i>		0.02	Outreach	Conducted Title III meeting to plan for grant activities with Shoshone-Bannock.
		0.01	Outreach	Attended NCAI and SARA Title III workshop for Region 10 tribes.
	\$90.00	0.10	F/A	Awarded support and assistance to Coeur d'Alene Tribe for the Bunker Hill SF site.
	\$50.00	0.05	F/A	Awarded support and assistance to the Shoshone-Bannock Tribe for the East Michaud Flats SF site.
	\$50.00	0.15	F/A	Awarded support and assistance to the Puyallup Tribe for the Commencement Bay SF site.
		0.03	D/I T/A	Conducted SF sampling for Elem Tribe at Sulpher Bank Site and Clear Lake).
		0.20	T/A	Provided ongoing T/A with Dawn Mine closure on Spokane Indian Reservation.
		0.01	Outreach	Participated in two Indian workshops on Emergency Planning and Response.
		0.01	T/A	Met with tribal staffs to provide guidance on grants.
	\$49.90	0.01	F/A	Awarded Title III grant to Shoshone-Bannock Tribe.
<i>HQ/CEPPO</i>	\$180.00	0.05	F/A T/A	Reviewed proposals for Indian tribes applying for FY 92 Title III grant; awarded three grants to tribes; monitored grant work plans for three FY 91 grants; offered assistance to recipients via phone conversations and regional coordination.
	\$3.50	0.05	Outreach	Developed an educational brochure discussing Title III and its relation to Indians on tribal lands. (Final form due in 1992).
		0.065	T/A	Coordinated with Regional Indian Coordinators through memos and telephone conversations.
		0.25	D/I T/A Outreach	Developed, coordinated and presented five workshops for Indian tribes responsible for implementing Title III. (These workshops were to provide tribes with information so as to determine how best to fulfill their responsibilities under SARA Title III).
		0.02	T/A	Participated in allocation of SARA Title III 305(a) grant funds through coordination with Federal Emergency Management HQ.
<i>HQ/OERR</i>	\$8.00	0.20	Outreach	Developed package (Indian Tribal Involvement in the Superfund Program) that explains how Indian tribes may participate in the SF Program; packet includes briefing materials and fact sheets.
		0.10	D/I	Provided general program coordination with OFA, OGC, other OSWER offices and the regional offices; participated in IWG.
		0.10	D/I	Responded to inquiries involving implementation of Subpart O regulation.
		0.25	D/I	Coordinated removal actions on Indian lands.
		0.10	D/I	Coordinated site assessment activities conducted on Indian lands.
<i>HQ/OWPE</i>		0.10	D/I	Provided general program coordination with OGC, OE, other OSWER offices and regional offices.
		0.25	D/I	Coordinated natural resource damage claims in CERCLA settlements.



THE OFFICE OF ENFORCEMENT

EPA Enforcement has regulatory responsibility for ensuring compliance with environmental standards in a wide range of areas affecting the quality of life. Its programs work with EPA's other program offices to effect the prevention and cleanup of pollution in air and water through the regulation of pesticide, waste, toxic substances and radiation. EPA's enforcement philosophy is to encourage voluntary compliance by communities and private industry and, as mandated by Federal laws, to oversee direct enforcement activities performed by Tribal, State and local governments to meet environmental standards. The Agency initiates enforcement actions to protect the public health and the environment when voluntary compliance has not been achieved.

The EPA Indian program activity, under the direction of the Office of Enforcement, is located in Office of Federal Activities and is responsible for the oversight of the program. The Office of Federal Activities coordinates the Agency's efforts in working to ensure that EPA programs are implemented on Indian reservations. The Office of Federal Activities is responsible for establishing effective liaison and coordination between EPA and other federal agencies on environmental issues; for assuring that EPA's programs comply with the goals and requirements of the National Environmental Policy Act and related environmental legislation; and for coordinating implementation of EPA's programs related to protection of human health and the environment on Indian reservations. The Office of Federal Activities' programs are multi-media in nature. In addition, support and guidance are given to Regional Indian Program Coordinators, who serve as the primary contacts for the tribes and oversee regional activities with Indian tribal governments. Finally, OFA works to build tribal capacity through providing direct funding, technical assistance and training to tribal leaders and staff.

This section contains information on the assistance provided to tribes through both the Office of Federal Activities and through the separate Multi-Media Assistance Program which the Office of Federal Activities manages.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF ENFORCEMENT

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>		0.25	D/I	Provided oversight and coordination assistance to ORC, tribes and media programs to facilitate Clean Lakes, wetlands, 106, and radon grants to New England tribes.
		0.05	D/I	Assisted in coordination of SARA Title III conference.
		0.10	D/I	Organized first meeting between RA and New England tribes.
		0.01	D/I	Organized training luncheon/seminar for Region 1 staff with Mashantucket Pequot.
	\$15.00	0.05	Outreach	Developed multi-media conference plans with NEIWPCC for Region 1 tribes. (Conference will occur in FY 92).
		0.05	D/I	Prepared two briefings before the Region 1 Leadership Team to obtain support and funding for multi-media grant to Penobscot Nation; facilitated grant award.
		0.05	D/I	Participated on national multi-media grant IWG.
		0.25	D/I	Visited all New England Tribes and conducted environmental survey to determine tribal environmental needs.
		0.20	D/I	Coordinated Regional IWG meetings; participated in national IWG conferences and conference calls.
	\$10.00			Prepared proposal and obtained RCRA funding for EPA/State Staff Indian Training Program.
		0.05	D/I	Hired and worked with Indian Program liaison on tribal outreach activities.
<i>Region 2</i>		0.60	Outreach	Provided outreach to Indian tribes on USTs and other national environmental concerns; took preliminary steps to holding a meeting with the tribes and EPA.
		0.60	D/I	Coordinated Region 2's implementation of EPA's Indian policy, including initiation of activities under a Memorandum of Agreement with SRMT, to address the tribe's environmental needs and concerns. Initiated discussions with SNI President and Council members concerning development of a Memorandum of Agreement type document to address the Tribe's environmental needs and concerns.
		0.10	Outreach	Provided overall management of F/A provided to Indian tribes.
<i>Region 4</i>		0.25	T/A	Provided program coordination as needed.
		0.15	Outreach	Met with tribal representatives to determine the environmental needs of tribes and to offer T/A.
<i>Region 5</i>	\$3.395	0.05	Outreach	Attended monthly regional IWG meetings (OFA staff); mailed news releases to Indian tribes and organizations; clipped, copied and assembled Indian-related news articles; advised OFA staff on Indian issues; mailed publications to Indian organizations; and organized Indian-related brown bag lunches.
	\$5.00	0.01	F/A	Provided funding for travel to tribal environmental task force.
	\$44.00	1.00	T/A	SEE position provided T/A to MI tribes.
<i>Region 6</i>	\$10.70	0.05	F/A	Held pollution prevention workshop for tribes.
	\$5.00	0.05	F/A	Established GIS (Geographical Information System) for tribes.
		0.90	T/A	Coordinated Indian Program.
<i>Region 7</i>		0.25	D/I	Coordinated regional Indian Program; participated in HQ IWG.
	\$1.50		D/I	Conducted sensitivity training for regional office staff.
	\$6.00		T/A	Provided CRs for addressing drinking water concerns of KS and IA tribes, in cooperation with regional PWSS program.
	\$5.00		T/A	Presented training and reimbursed tribal travel costs for training session on utility management, in cooperation with IHS.
	\$25.00	0.50	T/A	SEE employee provided T/A and outreach to tribes.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF ENFORCEMENT

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 8</i>			Outreach	Continued development of an Indian environmental education project for grades K-12. (Teaching strategies were developed using Native American culture and customs incorporated into an environmental curriculum).
	\$70.00		F/A	Developed Indian internship program: two Native American interns from different reservations were selected to work in the regional office for one year. (The interns completed several developmental assignments in each of the media programs).
	\$8.00		F/A	Employed regional discretionary funds to support travel costs for eight tribal environmental staff members to spend week in Region 8 office on a training assignment.
	\$5.00		D/I	Organized one day training session for all Region 8 staff on how to work more effectively work with tribal governments (EPA Region 8 Native American Awareness Day).
		0.30	F/A	Continued detailed position to work on national Indian survey requirements and regional Indian environmental data base and to assist in EPA Indian Program coordination.
		1.20	D/I T/A Outreach	Provided overall coordination of Indian Program in the regional office and the MT operations office; participated on the National Indian resources task force; participated on national IWG; coordinated with all Region 8 tribal governments and with EPA program offices.
	\$32.00	1.0	D/I	Filled SEE position for Region 8 Indian Program.
	\$5.00		D/I	Employed funds for IAG between U.S. Forest Service and EPA re: endangered species publication for UT reservations.
	\$47.00	0.50	T/A	Provided T/A to Region 8 tribes including Confederated Salish and Kootenai, Ft. Belknap, Rocky Boys, Blackfeet, Oglala Sioux, Yankton Sioux and Wind River Tribes.
<i>Region 9</i>	\$15.00		F/A	Provided funds to reimburse tribal officials who attended EPA/tribal meetings. (Funds were awarded via IAG with IHS).
			D/I T/A	Reviewed draft and final environmental assessments concerning activities on tribal lands.
		1.00	D/I T/A	Participated on task force, for regulation development, national survey efforts and all Indian Program issues, general liaison with tribal leaders and organizations and other Federal agencies. (FTE represented support for activities associated with outreach and coordination of tribal environmental issues within regional office by the Indian Coordinator, as well as, participation on national IWG).
	\$44.00	1.00	D/I - T/A Outreach	SEE/Indian liaison located in AZ to work with tribes on all environmental issues and programs of interest.
	\$20.00	0.50	D/I T/A Outreach	SEE/Indian liaison located in CA to work with tribes on all environmental issues and programs emphasizing legal issues affecting tribes and with need for better State/tribal/EPA relationships.
	\$20.00	0.05	T/A	Provided training for tribal staff in the operation of PWSs.
<i>Region 10</i>		1.40	D/I Outreach	Coordinated over all Indian Program activities; participated on national and regional IWG.
	\$2.00		F/A	Awarded contract for WHP training workshop for all tribes.
	\$72.00	1.65	D/I - F/A T/A	Hired SEE positions for ID and AK operations office.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

OFFICE OF ENFORCEMENT

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 10</i>	\$20.00	0.35	D/I	Hired Indian liaison in OR: visited various tribes and prepared status report. (i.e. population, tribal area, and organization).
		0.05	D/I	Prepared NPDES permit; inspected lagoon at Warm Springs.
		0.05	F/A	Provided project management for \$13K grant to Warm Springs.
		0.05	D/I	Inspected Warm Springs Forest Products.
		0.07	Outreach	Developed Native Peoples Initiative; attended IWG meetings; developed news releases; sponsored cross cultural training.
		0.01	D/I	Developed interactive GIS application for display, inquiry and mapping on Indian land data.
		0.04	D/I T/A	Assisted Skokomish in conducting GW (Groundwater) and surface analysis of selected reservation waters.
		0.06	T/A	Conducted Columbia River Fish Consumption survey.
		0.01	Outreach	Attended AIO Environmental workshop for tribes.
		0.04	Outreach	Sponsored career fairs for tribal youth, that provided both EPA and environmental science opportunities.
		0.02	Outreach	Conducted Region 10 tribal "government to government" meetings. (EPA/ Tribal Operations Comm. concept).
		0.05	T/A Outreach	Conducted block grant discussions and established a cooperative agreement with Puyallup Tribe.
		0.05	Outreach	Sent tribal mailings: EPA/tribal Region 10 newsletter, recycled paper and waste reduction, Region 10 contracts & EPA profile information and other educational material.
		0.05	D/I	Attended IWG meetings in Albuquerque and Washington, DC.
		0.02	D/I	Attended IWG meetings and cross culture meetings in Seattle.
		0.02	D/I	Participated in bi-weekly conference calls.
		0.02	D/I	Attended AIO Environmental workshop for tribal leaders/ EPA.
		0.03	Outreach	Tribal liaison visited the Coeur d'Alene, Nez Perce and Kootenai Reservations in June 1991.
		0.03	Outreach	Attended Inter-tribal Council Agriculture and Timber meetings November (1990) and April (1991) in Spokane. (Coeur d'Alene and Nez Perce Tribe co-hosted events).
<i>HQ/OFA</i>		4.00	D/I	Provided overall coordination of Agency Indian Program.
	\$7.50	0.25	D/I	NNEMS intern studied tribal risk.
	\$50.00		T/A	Provided environmental training fellowship through the Environmental Fellows Program.
	\$25.00	0.25	T/A	Awarded grant to ITCA for training of tribal law enforcement personnel on criminal investigation of HW releases. (Instruction was arranged by EPA staff and took place at the Federal Law Enforcement Training Center).
	\$20.00	0.05	F/A T/A	Awarded grant to CERT to develop training for tribal judges and prosecutors on the enforcement of federal tribal environmental protection laws. (OPPE/OCM is also contributing to project).
	\$25.00	0.05	F/A T/A	Awarded grant to AISES for undergraduate fellowships in both science and engineering for tribal members. (OPP and the Administrator's Office also contributed).
	\$60.00	1.60	D/I T/A	SEE positions to curcuit ride to reservations and assist with tribal communications at HQ.
		1.00	T/A	Conducted training for 129 tribal, federal and state officials in overcoming barriers to tribal participation in environmental programs through multi-governmental cooperation. Effort expended by AIO; funded through FY 89 and FY 90 grants.

MULTI-MEDIA ASSISTANCE AGREEMENTS

Typically, tribal requests for EPA assistance involve more than one program office; in those instances, the statutes require the tribes to account for each program's funds individually. This presents a barrier for most tribes for a number of reasons, foremost, that it inhibits integrated environmental approaches. In an effort to alleviate this, the Agency requested more flexibility in assisting the tribes to build their overall environmental management capacity. Congress, in response to the Agency's request, established Public Law 101-507 and, consequently, provided the Agency with the authorization to issue multi-media grants.

The intent of the multi-media grant program is to provide maximum flexibility for the Agency to work with eligible tribes (all federally recognized tribes and tribal consortia) to develop and implement the most suitable environmental management programs for their reservations. In other words, multi-media assistance agreements are intended to assist Indian tribes in developing the capacity to manage their own environmental programs by providing an integrated and streamlined means for the tribes to receive federal assistance. Multi-media assistance agreements offer the opportunity for a tribe to develop an integrated environmental program and develop the capability to manage specific delegated programs.



MULTI-MEDIA ASSISTANCE AGREEMENTS

OFFICE	EXP.* (\$1,000)	WORK** YEARS	TYPE	DESCRIPTION
<i>Region 1</i>		0.01	D/I	Reviewed the application from one tribe.
	\$104.581	0.05	F/A	Awarded grant to the Penobscot Nation for development of an environmental regulatory program emphasizing WQ assessment. Partial funding by Regional Air, Pesticides and Toxics Management Division - \$5K, Waste Management Division- \$10K and Office of Water Management Division- \$35K.
<i>Region 2</i>		0.02	F/A	Reviewed applications from two tribes.
	\$90.00	0.05	F/A	Awarded grant to SRMT for establishment of a multi-media environmental program, which includes development of data management system, environmental assessment & regulatory/enforcement structure and evaluation of need for cooperative agreement with NY.
	\$75.00	0.05	F/A	Awarded grant to Seneca Nation for establishment of multi-media environmental program, which includes environmental assessment/development of administrative capacity to construct, operate and maintain a waterline and SWM system.
<i>Region 4</i>		0.20	D/I	Inspected reservations for multi-media issues.
		0.02	D/I	Reviewed applications from two tribes.
	\$29.967	0.05	F/A	Awarded grant to Mississippi Band of Choctaw Indians for establishment of an environmental code and development of a multi-media environmental program with emphasis on SWM.
	\$54.00	0.05	F/A	Awarded grant to Eastern Band of Cherokee Indians for the establishment of an environmental code and the development of a multi-media environmental program with emphasis on SWM and recycling program implementation.
<i>Region 5</i>	\$54.869	0.05	F/A	Awarded cooperative agreement to Red Cliff Band of Lake Superior Chippewass/WI for the establishment of multi-media environmental program to address WQ, AQ, SDW, SW, HW, pesticides, SARA Title III and radon.
	\$48,450	0.05	F/A	Awarded cooperative agreement to the Inter-tribal Council of Michigan for the establishment of multi-media environmental program to address WQ, AQ, SDW, SW, HW, USTs, SARA Title III and radon. Four tribes in consortium.
	\$48,450	0.05	F/A	Awarded cooperative agreement to Sault Ste. Marie Tribe of Chippewa Indians/MI for establishment of Tribal Environmental Protection Agency for multi-media environmental program management with emphasis on water issues, SWM, AQ and USTs.
	\$52.285	0.05	F/A	Awarded cooperative agreement to Fond du Lac/MN for development of a multi-media environmental program to address WQ, SDW, SWM, SARA Title III, wetlands protection, radon, AQ & USTs.
	\$49.756	0.05	F/A	Awarded cooperative agreement to Lower and Upper Sioux MN for development of a multi-media environmental program emphasizing AQ, WQ, SDW, SWM, pesticides, radon, SARA Title III and USTs. Two tribes in consortium.

* Represents funds pooled from Regional and HQ accounts.

** Represents efforts expended at the Regional level.

MULTI-MEDIA ASSISTANCE AGREEMENTS

OFFICE	EXP.* (\$1,000)	WORK** YEARS	TYPE	DESCRIPTION
Region 5	\$54.792	0.05	F/A	Awarded cooperative agreement to Grand Portage/MN for establishment of a multi-media environmental program to address WQ, AQ, SDW, SWM, pesticides, wetlands, USTs, SARA Title III and radon.
		0.20	T/A Outreach	Participated in regional IWG and reviewed multi-media award applications for 10 tribes.
	\$52.296	0.05	F/A	Awarded cooperative agreement to Lac Courte Oreilles Band of Lake Superior Chippewas WI for the establishment of a multi-media environmental program to address SW, WQ, USTs, pesticides, SARA Title III and radon in cooperation with IHS, University of Wisconsin and the Great Lakes Inter-tribal Council.
	\$49.996	0.05	F/A	Awarded cooperative agreement to Oneida Tribe/WI for establishment of multi-media environmental program to address UST, SWM, WQOM, pesticides, Title III and radon issues.
	\$50.004	0.05	F/A	Awarded cooperative agreement to Sokaogon Chippewa (Mole Lake)/WI for establishment of multi-media environmental program to address WQM, UST, Title III, SWM and radon issues.
		4.78	D/I T/A Outreach	Provided overall coordination of Indian policy and programs within region and between region, EPA/HQ & other agencies by Regional Indian Program coordinator, assistant, SEE employee, and two Indian liaisons; provided T/A to 29 tribes; participated in BIA and IHS workshops, conferences; developed regional multi-media program and policy; coordinated with EPA/HQ on multi-media development on national level provided T/A and oversight to Bad River/WI multi-media pilot project (awarded FY'90).
Region 6		0.60	D/I	Reviewed six applications from tribes.
	\$97.50	0.05	F/A	Awarded cooperative agreement to Santo Domingo Pueblo for the establishment of environmental statutes and codes and the development of multi-media environmental program, to include point of contact for program communications, liaison, direction and coordination, with emphasis on wellhead protection.
	\$47.50	0.05	F/A	Awarded cooperative agreement to Cheyenne and Arapaho for the establishment of environmental statutes and codes and for the development of a multi-media environmental program, including a point of contact for program communications/coordination/direction and a liaison, with emphasis on wastewater sludge reclamation and tire recovery/recycling. Two tribes in consortium
Region 7		0.01	D/I	Reviewed three applications from tribes.
	\$51.517	0.05	F/A	Awarded grant to Sac and Fox of the Mississippi in Iowa for the development of a multi-media environmental program to include codes for SW disposal, wetlands protection and pesticide use, program planning and implementation for SWM, wetlands delineation, development of a cooperative agreement with IA for pesticide certification/enforcement and completion of radon testing (including follow-up tests).

* Represents funds pooled from Regional and HQ accounts.

** Represents efforts expended at the Regional level.

MULTI-MEDIA ASSISTANCE AGREEMENTS

OFFICE	EXP.* (\$1,000)	WORK** YEARS	TYPE	DESCRIPTION
<i>Region 8</i>		0.07	D/I	Reviewed seven applications from tribes.
	\$105.88	0.05	F/A	Awarded a cooperative agreement to Yankton Sioux for the development of multi-media environmental program, including establishment of an environmental administrative commission to assess environmental quality, to develop standards, guidelines and draft codes (emphasizing pesticide and SWM), to coordinate environmental programs with tribal elected officials and staff and to provide environmental education for the public.
	\$105.875	0.05	F/A	Awarded cooperative agreement to Cheyenne River Sioux for development of a multi-media environmental program based on the establishment of a data system, the development of legal requirements and tribal infrastructure for administration and management, and providing environmental education to public.
		0.05	T/A Outreach	Provided oversight, T/A and program development for Wind River relative to multi-media grant awarded in FY 90.
	\$17.00	0.05	F/A	Awarded a cooperative agreement to the Ft. Peck Tribes for development of a multi-media environmental program based on the evaluation of delegated EPA programs relative to the appropriateness of each on the Reservation, the assessment of environmental needs and the development of strategies to implement the program. Two tribes in consortium.
<i>Region 9</i>		0.04	D/I	Reviewed four applications from tribes.
	\$35.00	0.05	F/A	Awarded cooperative agreement to San Carlos Apache Tribe for the development of a multi-media environmental program to address AQ, WQ, safe drinking water and WHP, SWM, HWM (Hazardous Waste Management), SARA Title III and USTs.
	\$40.00	0.05	F/A	Awarded cooperative agreement to the Morongo Band of Mission Indians for development of multi-media environmental program, with emphasis on SWM and SARA Title III.
	\$130.00	0.05	F/A	Awarded cooperative agreement to Reno-Sparks Indian Colony for the development of a multi-media environmental program to include AQ, WQ, SDW, WHP, HWM/SWM, and SARA Title III.

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** Represents efforts expended at the Regional level.

ENVIRONMENTAL ACTIVITIES ON INDIAN RESERVATIONS: FY 91

MULTI-MEDIA ASSISTANCE AGREEMENTS

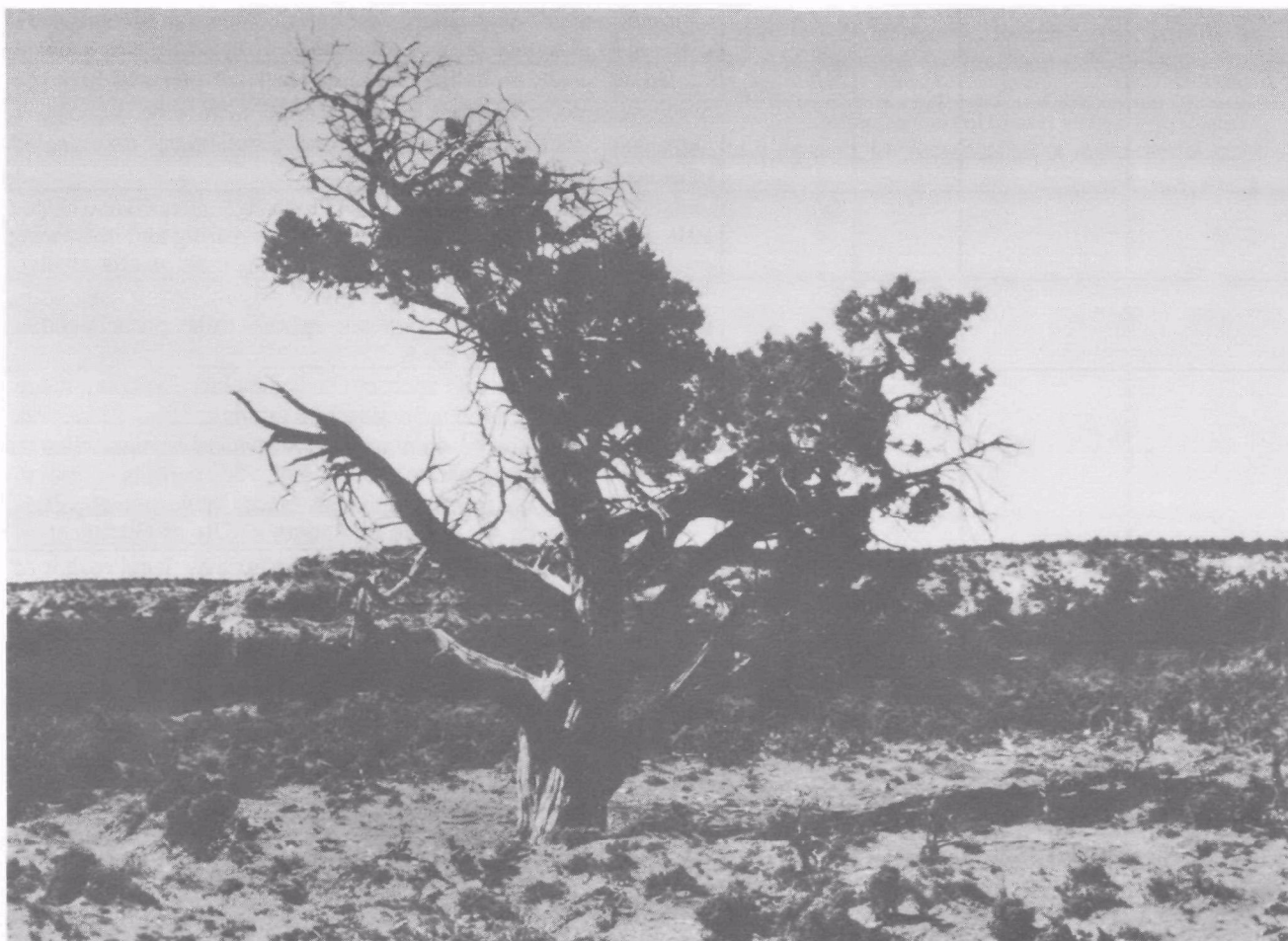
OFFICE	EXP.* (\$1,000)	WORK** YEARS	TYPE	DESCRIPTION
<i>Region 10</i>		0.05	T/A Outreach	Attended EPA meeting at Yakima and Tulalip Reservations for multi-media programmatic issues and the "government to government" relationship.
		0.06	D/I	Reviewed six applications from tribes.
	\$50.00	0.05	F/A	Awarded grant to Confederated Tribes of Warm Spring for the development of a multi-media environmental program to emphasize AQ, WWM, Hazardous materials incident response, including solution to a current wastewater problem.
	\$50.00	0.05	F/A	Awarded grant to Kootenai for the development of multi-media environmental program to include AQ sampling/monitoring, establishment of AQ database, WQ sampling/monitoring and establishment of a WQ database.
	\$50.00	0.05	F/A	Awarded grant to the Metlakatla Indian Community for the development of a multi-media environmental program with emphasis on AQ, WQ and municipal SWM.
	\$50.00	0.05	F/A	Awarded grant to Upper Skagit Indian Tribe for the development of multi-media environmental program, including enhancement of Reservation environmental assessment, WQ sampling and monitoring and the development of a WHP program for the Tribe's wellfield.
	\$40.00	0.05	F/A	Awarded grant to Quileute Tribal Council to initiate planning for development of a multi-media environmental program with initial emphasis on completion of inventory of environmental issues and needs.
	\$17.526	0.05	F/A	Awarded grant to Suquamish for development of multi-media environmental program with emphasis on development of a cooperative agreement with Kitsap County to plan/implement a strategy for jointly addressing WQ and municipal SW issues.

* Represents funds pooled from Regional and HQ accounts.

** Represents efforts expended at the Regional level.

OFFICE OF POLICY, PLANNING AND EVALUATION

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
HQ/ORME	\$50.00	0.50	T/A	Conducted survey to identify the fish consumption patterns and dioxin levels of Native Americans in WA and OR, who rely on fish as their primary source of food. (Joint study with Columbia River Inter-Tribal Fish Commission).
	\$95.00	0.50	T/A	Conducted pilot study - analysis of populations at risk from the consumption of dioxin-contaminated fish caught near bleached pulp paper mills. (Study will aide EPA's reassessment of dioxin risks).
HQ/OPP	\$50.00	1.00	F/A T/A	Assisted Turtle Mountain Band of Chippewa to establish tribal environmental office and to develop a GIS- based Environmental Information System.
	\$10.00	0.10	D/I	Conducted comparative risk evaluation on the environmental problems of 11 Native American tribes of WI. (Funding also provided by OQ).
HQ/OPA	\$100.00	1.50	D/I	Coordinated work of Agency Environmental Equity work group, which investigated whether some EPA actions have inequitable impact on minorities and low-income communities.



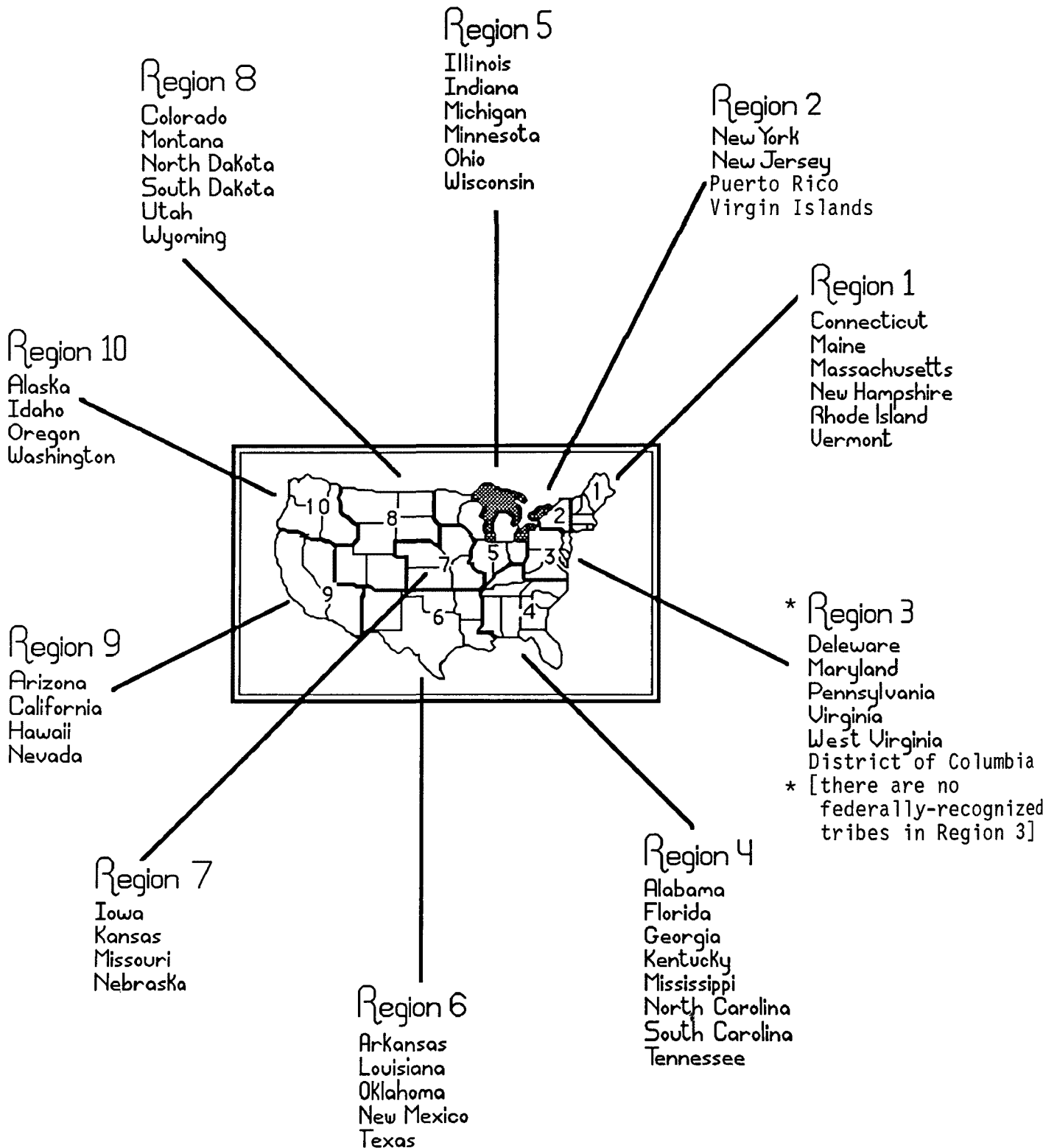
OFFICE OF GENERAL COUNSEL
OFFICE OF REGIONAL COUNSEL

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 1</i>		0.50	D/I T/A	Researched/addressed regional Program Offices and New England tribes regarding reservation jurisdictional issues which relate to specific grants/TAS applications; attended legal tribal conferences; participated on IWG and ILAWG (Indian Law Attorneys Work Group); provided legal counsel on multi-media grants.
<i>Region 2</i>		0.30	Outreach	Addressed regional program issues on reservation jurisdiction; assisted tribes in understanding EPA regulations.
		0.30	Outreach	Provided informal program counselling; participated on regional and national IWG; prepared formal opinions, inspections and potential enforcement action.
<i>Region 4</i>		0.05	D/I	Reviewed and counselled on CWA Section 106 grant to the Miccosukee Tribe and on CWA Section 319 grant to the Poarch Tribe; counselled program on siting of HW disposal facility on Choctaw lands; made presentation to all tribes on liability for handling, transporting and disposing of HW.
<i>Region 5</i>		1.40	D/I	Provided legal counsel to program offices; participated in regional and national IWG; served on national RCRA work groups; wrote legal opinions of case law, statutes and regulations; reviewed EPA regulations and TAS applications; assisted with the Menominee's national RCRA pilot project; assisted Ft. Howard SF site -Oneida
<i>Region 6</i>		0.32	D/I	Co-led nationally on Indian law; researched and prepared <u>Brendale & Duro</u> opinions; coordinated all ILAWG memos on <u>Brendale & Duro</u> , plus memos on preambles and regulations; coordinated other work of ILAWG.
		0.10	D/I	Organized and hosted annual ILAWG meeting; attended and helped train in seminars for new programs by preparing and reviewing guidances/preambles (Subtitle D of RCRA, multi-media grants).
		0.04	D/I	Organized and participated in ILAWG monthly conference calls, including case updates; set-up two special calls; participated in conference calls on new CAA.
		0.13	D/I	Counselled programs and attorneys on Indian law, including many HW siting issues; continued counsel on grants to tribes; reviewed, counselled and prepared opinions on TAS packages; counselled on SIP and permitting issues and issuance of PSD permits on Indian lands in all Region 6 states with such lands; reviewed appellate litigation packages in <u>Pueblo of Acoma v. City of Grants, et al.</u>
<i>Region 7</i>		0.10	D/I	Provided support to regional program offices by legal review of TAS applications, inter-agency MOA's, jurisdictional issues and development of enforcement actions; participated in ILAWG.
<i>Region 8</i>		1.30	D/I	Provided legal counsel to Region 8 Program Offices, RA and MT Office on Indian Law issues; researched/consulted/drafted re: EPA legal memorandum on tribal and state jurisdiction over non-Indians on reservations; represented RA and RC on Deputy Administrator's Indian resources task force; researched and reviewed TAS applications under generic Indian regulations; as lead regional Indian law counsel, provided legal counsel to other regions on Indian law issues as lead regional Indian law counsel; co-lead regional ILAWG; counsel on SF issues.

OFFICE OF GENERAL COUNSEL
OFFICE OF REGIONAL COUNSEL

OFFICE	EXP. (\$1,000)	WORK YEARS	TYPE	DESCRIPTION
<i>Region 8</i>		0.40	D/I	Provided TAS review of tribal water grant applications; consulted with DOI on state and tribal jurisdictional issues.
<i>Region 9</i>		0.50	D/I T/A	Supported regional programs by providing legal support (legal and development of enforcement actions, etc.)
<i>Region 10</i>		0.10	D/I	Provided legal counsel to the program and Puyallup Indian Tribe under a MOA to oversee and enforce cleanup of properties to be transferred by the Port of Tacoma for settlement of land claims.
		0.50	D/I Outreach	Provided legal counsel to program offices; participated in IWG activities; reviewed litigation; reviewed EPA regulations that affect tribes and TAS applications; delivered speech to tribal organization; mediated and developed MOAs; drafted numerous legal opinions on topics relating to Indian/environmental law for dissemination to Region 10 and HQ; briefed RA and Deputy RA on Indian issues.
		0.05	D/I Outreach	Worked with Puyallup and Muckleshoot Tribes to develop roles as natural resource trustees at the Commencement Bay SF site.
		0.10	D/I Outreach	Provided legal counsel to the program and Coeur d'Alene Indian Tribe for participating in cleanup and natural resource trustee at the Bunker Hill SF site.
<i>HQ</i>		1.00	D/I	Developed CWA - CAA regulations; litigated; prepared formal opinions; provided informal program counselling; participated in IWG activities.
				Briefed Deputy Administrator on tribal and state jurisdiction. Worked on development, implementation of multi-media grant program.





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GLOSSARY OF ACRONYMS

AARP = American Association of Retired People
AIPC = All Indian Pueblo Council of NM
AISES = American Indian Science and Engineering Society
AIO = Americans for Indian Opportunity
AK = State of Alaska
ANV = Alaskan Native Village
AO = Administrative Order
AQ = Air Quality
AQM = Air Quality Monitoring
ASHAA = Asbestos in Schools Hazard Abatement Act
AZ = State of Arizona
BIA = Bureau of Indian Affairs
C&T = Certification and Training
CA = State of California
CAA = Clean Air Act
CEPPO = Chemical Emergency Preparedness and Prevention Office
CERCLA = Comprehensive Environmental Response, Compensation and Liability Act
CERT = Council of Energy Resource Tribes
CO = State of Colorado
CR = Circuit Rider
CRIT = Colorado River Indian Tribes
CWA = Clean Water Act
D/I = Direct Implementation
DOI = Department of Interior
EIS = Environmental Impact Statement
EPCRA = Emergency Planning Community Right to Know Act
ESD = Environmental Sciences Division
F/A = Financial Assistance
FEMA = Federal Emergency Management Agency
FIFRA = Federal Insecticide, Fungicide and Rodenticide Act
FTS = Federal Telephone System (Federal Communications Network)
FY = Fiscal Year (October 1 - September 30)
GIS = Geographic Information System

GLOSSARY OF ACRONYMS

GW = Groundwater
GWP = Groundwater Protection
HQ = EPA Headquarters (401 M St., SW, Washington, DC 20460)
HUD = Department of Housing and Urban Development
HW = Hazardous Waste
HWM = Hazardous Waste Management
IA = State of Iowa
IAG = Inter-agency Agreement
ID = State of Idaho
IGA = Inter-governmental Agreement
IHS = Indian Health Service
ILAWG = Indian Law Attorney Work Group
IPA = Inter-governmental Personnel Agreement
IRAA = Indoor Radon Abatement Act
ITCA = InterTribal Council of Arizona, Inc.
IWG = Indian Work Group
KS = State of Kansas
LCCA = Lead Contamination Control Act
LUST = Leaking Underground Storage Tank
MI = State of Michigan
MN = State of Minnesota
MOA = Memorandum of Agreement
MOU = Memorandum of Understanding
MRWA = Minnesota Rural Water Association
MS = State of Mississippi
MT = State of Montana
NCAI = National Congress of American Indians
NE = State of Nebraska
NEIWPCC = New England Interstate Water Pollution Control Commission
NEPA = National Environmental Policy Act
NM = State of New Mexico
NPDES = National Pollutant Discharge Elimination System
NPS = Non-Point Source

GLOSSARY OF ACRONYMS

NPSP = Non-Point Source Project
NRC = Nuclear Regulatory Commission
NTUA = Navajo Tribal Utility Authority
NV = State of Nevada
NWIFC = Northwest Indian Fisheries Commission
NY = State of New York
OAQPS = Office of Air Quality Planning & Standards
OAR = Office of Air and Radiation
OCM = Office of Compliance Monitoring
OCR = Office of Congressional Relations
ODW = Office of Drinking Water (within OW)
OE = Office of Enforcement
OFA = Office of Federal Activities (within OE)
OGC = Office of General Counsel
OGDW = Office of Groundwater & Drinking Water
OHRM = Office of Human Resources Management
OK = State of Oklahoma
O&M = Operation and Maintenance
OPP = Office of Pesticide Programs
OPPE = Office of Policy, Planning and Evaluation
OPPTS = Office of Prevention, Pesticides and Toxic Substances
OR = State of Oregon
ORC = Office of Regional Counsel
ORD = Office of Research and Development
OSW = Office of Solid Waste
OSWER = Office of Solid Waste and Emergency Response
OTS = Office of Toxic Substances
OWPE = Office of Waste Programs Enforcement (within OSWER)
Outreach = Initial Communication
OUST = Office of Underground Storage Tanks
OW = Office of Water
pCi/l = Picocuries per liter (measurement for radon)
PHS = Public Health Service

GLOSSARY OF ACRONYMS

POEP = Pueblo Office of Environmental Protection
PM-10 = Particulate Matter Smaller than Ten Microns in Size (a National Ambient Air Quality Standard)
PRP = Potential Responsible party
PSD = Prevention of Significant Deterioration (CAA)
PWS = Public Water System
PWSS = Public Water System Supervision
QAPP = Quality Assurance Project Plans
RA = Regional Administrator
RCRA = Resource Conservation and Recovery Act
RIWG = Regional Indian Work Group
SARA = Superfund Amendments and Reauthorization Act
SD = State of South Dakota
SDW = Safe Drinking Water
SDWA = Safe Drinking Water Act
SEE = Senior Environmental Employee
SF = Superfund
SNI = Seneca Nation of Indians
SRMT = St. Regis Mohawk Tribe
SSAD = Sole Source Aquifer Demonstration
SW = Solid Waste
SWM = Solid Waste Management
T/A = Technical Assistance
TAS = Treatment as a State
TIP = Tribal Implementation Plan
Title II = Construction Grant Program for Wastewater Treatment Facilities (CWA)
Title III = Emergency Planning/Community Right to Know Act (EPCRA)
TSCA = Toxic Substances Control Act
UIC = Underground Injection Control
USDA = US Department of Agriculture
UST = Underground Storage Tank
UT = State of Utah
VOC = Volatile Organic Chemical
WA = State of Washington

GLOSSARY OF ACRONYMS

WHP = Wellhead Protection (SDWA)

WI = State of Wisconsin

WQ = Water Quality

WQM = Water Quality Management

WQS = Water Quality Standards

WWM = Wastewater Management

WWT = Wastewater Treatment

WWTF = Wastewater Treatment Facilities

WY = State of Wyoming



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
EXTERNAL AFFAIRS

INDIAN POLICY
U.S. ENVIRONMENTAL PROTECTION AGENCY

Attached are two documents which were adopted by the Environmental Protection Agency (EPA) on November 8, 1984, relating to Indian Tribes and Federal programs for protection of reservation environments:

- 1) EPA Policy for the Administration of Environmental Programs on Indian Reservations.
- 2) Indian Policy Implementation Guidance.

These documents lay the groundwork for EPA management of the Agency's regulatory programs on reservation lands. The cornerstones of the Policy and Guidance are the principles of Indian "self-government" and "government-to-government" relations between the Federal Government and Tribal Governments. Through implementation of the Policy, the Agency hopes to realize the long-range objective of including Tribal Governments as partners in decision-making and program management on reservation lands, much as we do with State Governments off-reservation.

In the beginning, implementation of the Policy will be slowly paced, as the Agency will need to seek legislative authority in many areas and go through a lengthy budget process before we can carry out the principles of the Policy and directives of the Guidance in a comprehensive manner. In the first year, however, we will begin to seek statutory changes, modify regulations, and work on selected pilot programs. These pilot programs will investigate problems associated with Tribal regulation of water and air quality and the handling and disposal of hazardous materials on reservation lands. The experience will help both EPA and the Tribes develop models for dealing with these problems in the special legal and political context of Indian reservations.

Environmental programming that will involve Tribal Governments in the Federal regulatory process on a significant scale is a new endeavor for EPA and Tribes alike. To be successful, we will need cooperation and assistance from all sectors and would welcome your on-going support.

If you have questions or need further information, please contact Dr. Martin D. Topper, National EPA Indian Coordinator, at (202) 382-5051.

Attachment

EPA POLICY FOR THE ADMINISTRATION OF ENVIRONMENTAL PROGRAMS ON INDIAN RESERVATIONS

INTRODUCTION

The President published a Federal Indian Policy on January 24, 1983, supporting the primary role of Tribal Governments in matters affecting American Indian reservations. That policy stressed two related themes: (1) that the Federal Government will pursue the principle of Indian "self-government" and (2) that it will work directly with Tribal Governments on a "government-to-government" basis.

The Environmental Protection Agency (EPA) has previously issued general statements of policy which recognize the importance of Tribal Governments in regulatory activities that impact reservation environments. It is the purpose of this statement to consolidate and expand on existing EPA Indian Policy statements in a manner consistent with the overall Federal position in support of Tribal "self-government" and "government-to-government" relations between Federal and Tribal Governments. This statement sets forth the principles that will guide the Agency in dealing with Tribal Governments and in responding to the problems of environmental management on American Indian reservations in order to protect human health and the environment. The Policy is intended to provide guidance for EPA program managers in the conduct of the Agency's congressionally mandated responsibilities. As such, it applies to EPA only and does not articulate policy for other Agencies in the conduct of their respective responsibilities.

It is important to emphasize that the implementation of regulatory programs which will realize these principles on Indian Reservations cannot be accomplished immediately. Effective implementation will take careful and conscientious work by EPA, the Tribes and many others. In many cases, it will require changes in applicable statutory authorities and regulations. It will be necessary to proceed in a carefully phased way, to learn from successes and failures, and to gain experience. Nonetheless, by beginning work on the priority problems that exist now and continuing in the direction established under these principles, over time we can significantly enhance environmental quality on reservation lands.

POLICY

In carrying out our responsibilities on Indian reservations, the fundamental objective of the Environmental Protection Agency is to protect human health and the environment. The keynote of this effort will be to give special consideration to Tribal interests in making Agency policy, and to insure the close involvement of Tribal Governments in making decisions and managing environmental programs affecting reservation lands. To meet this objective, the Agency will pursue the following principles:

1. THE AGENCY STANDS READY TO WORK DIRECTLY WITH INDIAN TRIBAL GOVERNMENTS ON A ONE-TO-ONE BASIS (THE "GOVERNMENT-TO-GOVERNMENT" RELATIONSHIP), RATHER THAN AS SUBDIVISIONS OF OTHER GOVERNMENTS.

EPA recognizes Tribal Governments as sovereign entities with primary authority and responsibility for the reservation populace. Accordingly, EPA will work directly with Tribal Governments as the independent authority for reservation affairs, and not as political subdivisions of States or other governmental units.

2. THE AGENCY WILL RECOGNIZE TRIBAL GOVERNMENTS AS THE PRIMARY PARTIES FOR SETTING STANDARDS, MAKING ENVIRONMENTAL POLICY DECISIONS AND MANAGING PROGRAMS FOR RESERVATIONS, CONSISTENT WITH AGENCY STANDARDS AND REGULATIONS.

In keeping with the principle of Indian self-government, the Agency will view Tribal Governments as the appropriate non-Federal parties for making decisions and carrying out program responsibilities affecting Indian reservations, their environments, and the health and welfare of the reservation populace. 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.

3. THE AGENCY WILL TAKE AFFIRMATIVE STEPS TO ENCOURAGE AND ASSIST TRIBES IN ASSUMING REGULATORY AND PROGRAM MANAGEMENT RESPONSIBILITIES FOR RESERVATION LANDS.

The Agency will assist interested Tribal Governments in developing programs and in preparing to assume regulatory and program management responsibilities for reservation lands. Within the constraints of EPA's authority and resources, this aid will include providing grants and other assistance to Tribes similar to that we provide State Governments. The Agency will encourage Tribes to assume delegable responsibilities, (i.e. responsibilities which the Agency has traditionally delegated to State Governments for non-reservation lands) under terms similar to those governing delegations to States.

Until Tribal Governments are willing and able to assume full responsibility for delegable programs, the Agency will retain responsibility for managing programs for reservations (unless the State has an express grant of jurisdiction from Congress sufficient to support delegation to the State Government). Where EPA retains such responsibility, the Agency will encourage the Tribe to participate in policy-making and to assume appropriate lesser or partial roles in the management of reservation programs.

4. THE AGENCY WILL TAKE APPROPRIATE STEPS TO REMOVE EXISTING LEGAL AND PROCEDURAL IMPEDIMENTS TO WORKING DIRECTLY AND EFFECTIVELY WITH TRIBAL GOVERNMENTS ON RESERVATION PROGRAMS.

A number of serious constraints and uncertainties in the language of our statutes and regulations have limited our ability to work directly and effectively with Tribal Governments on reservation problems. As impediments in our procedures, regulations or statutes are identified which limit our ability to work effectively with Tribes consistent with this Policy, we will seek to remove those impediments.

5. THE AGENCY, IN KEEPING WITH THE FEDERAL TRUST RESPONSIBILITY, WILL ASSURE THAT TRIBAL CONCERNS AND INTERESTS ARE CONSIDERED WHENEVER EPA'S ACTIONS AND/OR DECISIONS MAY AFFECT RESERVATION ENVIRONMENTS.

EPA recognizes that a trust responsibility derives from the historical relationship between the Federal Government and Indian Tribes as expressed in certain treaties and Federal Indian Law. In keeping with that trust responsibility, the Agency will endeavor to protect the environmental interests of Indian Tribes when carrying out its responsibilities that may affect the reservations.

6. THE AGENCY WILL ENCOURAGE COOPERATION BETWEEN TRIBAL, STATE AND LOCAL GOVERNMENTS TO RESOLVE ENVIRONMENTAL PROBLEMS OF MUTUAL CONCERN.

Sound environmental planning and management require the cooperation and mutual consideration of neighboring governments, whether those governments be neighboring States, Tribes, or local units of government. Accordingly, EPA will encourage early communication and cooperation among Tribes, States and local governments. This is not intended to lend Federal support to any one party to the jeopardy of the interests of the other. Rather, it recognizes that in the field of environmental regulation, problems are often shared and the principle of comity between equals and neighbors often serves the best interests of both.

7. THE AGENCY WILL WORK WITH OTHER FEDERAL AGENCIES WHICH HAVE RELATED RESPONSIBILITIES ON INDIAN RESERVATIONS TO ENLIST THEIR INTEREST AND SUPPORT IN COOPERATIVE EFFORTS TO HELP TRIBES ASSUME ENVIRONMENTAL PROGRAM RESPONSIBILITIES FOR RESERVATIONS.

EPA will seek and promote cooperation between Federal agencies to protect human health and the environment on reservations. We will work with other agencies to clearly identify and delineate the roles, responsibilities and relationships of our respective organizations and to assist Tribes in developing and managing environmental programs for reservation lands.

8. THE AGENCY WILL STRIVE TO ASSURE COMPLIANCE WITH ENVIRONMENTAL STATUTES AND REGULATIONS ON INDIAN RESERVATIONS.

In those cases where facilities owned or managed by Tribal Governments are not in compliance with Federal environmental statutes, EPA will work cooperatively with Tribal leadership to develop means to achieve compliance, providing technical support and consultation as necessary to enable Tribal facilities to comply. Because of the distinct status of Indian Tribes and the complex legal issues involved, direct EPA action through the judicial or administrative process will be considered where the Agency determines, in its judgment, that: (1) a significant threat to human health or the environment exists, (2) such action would reasonably be expected to achieve effective results in a timely manner, and (3) the Federal Government cannot utilize other alternatives to correct the problem in a timely fashion.

In those cases where reservation facilities are clearly owned or managed by private parties and there is no substantial Tribal interest or control involved, the Agency will endeavor to act in cooperation with the affected Tribal Government, but will otherwise respond to noncompliance by private parties on Indian reservations as the Agency would to noncompliance by the private sector elsewhere in the country. Where the Tribe has a substantial proprietary interest in, or control over, the privately owned or managed facility, EPA will respond as described in the first paragraph above.

9. THE AGENCY WILL INCORPORATE THESE INDIAN POLICY GOALS INTO ITS PLANNING AND MANAGEMENT ACTIVITIES, INCLUDING ITS BUDGET, OPERATING GUIDANCE, LEGISLATIVE INITIATIVES, MANAGEMENT ACCOUNTABILITY SYSTEM AND ONGOING POLICY AND REGULATION DEVELOPMENT PROCESSES.

It is a central purpose of this effort to ensure that the principles of this Policy are effectively institutionalized by incorporating them into the Agency's ongoing and long-term planning and management processes. Agency managers will include specific programmatic actions designed to resolve problems on Indian reservations in the Agency's existing fiscal year and long-term planning and management processes.



William D. Ruckelshaus



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 8 1984

MEMORANDUM

OFFICE OF
THE ADMINISTRATOR

SUBJECT: Indian Policy Implementation Guidance

FROM: Alvin L. Alm *Alvin L. Alm*
Deputy Administrator

TO: Assistant Administrators
Regional Administrators
General Counsel

INTRODUCTION

The Administrator has signed the attached EPA Indian Policy. This document sets forth the broad principles that will guide the Agency in its relations with American Indian Tribal Governments and in the administration of EPA programs on Indian reservation lands.

This Policy concerns more than one hundred federally-recognized Tribal Governments and the environment of a geographical area that is larger than the combined area of the States of Maryland, New Jersey, Connecticut, Massachusetts, Vermont, New Hampshire and Maine. It is an important sector of the country, and constitutes the remaining lands of America's first stewards of the environment, the American Indian Tribes.

The Policy places a strong emphasis on incorporating Tribal Governments into the operation and management of EPA's delegable programs. This concept is based on the President's Federal Indian Policy published on January 24, 1983 and the analysis, recommendations and Agency input to the EPA Indian Work Group's Discussion Paper, Administration of Environmental Programs on American Indian Reservations (July 1983).

TIMING AND SCOPE

Because of the importance of the reservation environments, we must begin immediately to incorporate the principles of EPA's Indian Policy into the conduct of our everyday business. Our established operating procedures (including long-range budgetary and operational planning activities) have not consistently focused on the proper role of Tribal Governments or the special legal and political problems of program management on Indian lands. As a result, it will require a phased and sustained effort over time to fully implement the principles of the Policy and to take the steps outlined in this Guidance.

Some Regions and Program Offices have already made individual starts along the lines of the Policy and Guidance. I believe that a clear Agency-wide policy will enable all programs to build on these efforts so that, within the limits of our legal and budgetary constraints, the Agency as a whole can make respectable progress in the next year.

As we begin the first year of operations under the Indian Policy, we cannot expect to solve all of the problems we will face in administering programs under the unique legal and political circumstances presented by Indian reservations. We can, however, concentrate on specific priority problems and issues and proceed to address these systematically and carefully in the first year. With this general emphasis, I believe that we can make respectable progress and establish good precedents for working effectively with Tribes. By working within a manageable scope and pace, we can develop a coordinated base which can be expanded, and, as appropriate, accelerated in the second and third years of operations under the Policy.

In addition to routine application of the Policy and this Guidance in the conduct of our everyday business, the first year's implementation effort will emphasize concentrated work on a discrete number of representative problems through cooperative programs or pilot projects. In the Regions, this effort should include the identification and initiation of work on priority Tribal projects. At Headquarters, it should involve the resolution of the legal, policy and procedural problems which hamper our ability to implement the kinds of projects identified by the Regions.

The Indian Work Group (IWG), which is chaired by the Director of the Office of Federal Activities and composed of representatives of key regional and headquarters offices, will facilitate and coordinate these efforts. The IWG will begin immediately to help identify the specific projects which may be ripe for implementation and the problems needing resolution in the first year.

Because we are starting in "mid-stream," the implementation effort will necessarily require some contribution of personnel time and funds. While no one program will be affected in a major fashion, almost all Agency programs are affected to some degree. I do not expect the investment in projects on Indian Lands to cause any serious restriction in the States' funding support or in their ability to function effectively. To preserve the flexibility of each Region and each program, we have not set a target for allocation of FY 85 funds. I am confident, however, that Regions and program offices can, through readjustment of existing resources, demonstrate significant and credible progress in the implementation of EPA's Policy in the next year.

ACTION

Subject to these constraints, Regions and program managers should now initiate actions to implement the principles of the Indian Policy. The eight categories set forth below will direct our initial implementation activities. Further guidance will be provided by the Assistant Administrator for External Affairs as experience indicates a need for such guidance.

1. THE ASSISTANT ADMINISTRATOR FOR EXTERNAL AFFAIRS WILL SERVE AS LEAD AGENCY CLEARINGHOUSE AND COORDINATOR FOR INDIAN POLICY MATTERS.

This responsibility will include coordinating the development of appropriate Agency guidelines pertaining to Indian issues, the implementation of the Indian Policy and this Guidance. In this effort the Assistant Administrator for External Affairs will rely upon the assistance and support of the EPA Indian Work Group.

2. THE INDIAN WORK GROUP (IWG) WILL ASSIST AND SUPPORT THE ASSISTANT ADMINISTRATOR FOR EXTERNAL AFFAIRS IN DEVELOPING AND RECOMMENDING DETAILED GUIDANCE AS NEEDED ON INDIAN POLICY AND IMPLEMENTATION MATTERS. ASSISTANT ADMINISTRATORS, REGIONAL ADMINISTRATORS AND THE GENERAL COUNSEL SHOULD DESIGNATE APPROPRIATE REPRESENTATIVES TO THE INDIAN WORK GROUP AND PROVIDE THEM WITH ADEQUATE TIME AND RESOURCES NEEDED TO CARRY OUT THE IWG'S RESPONSIBILITIES UNDER THE DIRECTION OF THE ASSISTANT ADMINISTRATOR FOR EXTERNAL AFFAIRS.

The Indian Work Group, (IWG) chaired by the Director of the Office of Federal Activities, will be an important entity for consolidating the experience and advice of the key Assistant and Regional Administrators on Indian Policy matters. It will perform the following functions: identify specific legal, policy, and procedural impediments to working directly with Tribes on reservation problems; help develop appropriate guidance for overcoming such impediments; recommend opportunities for implementation of appropriate programs or pilot projects; and perform other services in support of Agency managers in implementing the Indian Policy.

The initial task of the IWG will be to develop recommendations and suggest priorities for specific opportunities for program implementation in the first year of operations under the Indian Policy and this Guidance.

To accomplish this, the General Counsel and each Regional and Assistant Administrator must be actively represented on the IWG by a staff member authorized to speak for his or her office. Further, the designated representative(s) should be afforded the time and resources, including travel, needed to provide significant staff support to the work of the IWG.

3. ASSISTANT AND REGIONAL ADMINISTRATORS SHOULD UNDERTAKE ACTIVE OUTREACH AND LIAISON WITH TRIBES, PROVIDING ADEQUATE INFORMATION TO ALLOW THEM TO WORK WITH US IN AN INFORMED WAY.

In the first thirteen years of the Agency's existence, we have worked hard to establish working relationships with State Governments, providing background information and sufficient interpretation and explanations to enable them to work effectively with us in the development of cooperative State programs under our various statutes. In a similar manner, EPA managers should try to establish direct, face-to-face contact (preferably on the reservation) with Tribal Government officials. This liaison is essential to understanding Tribal needs, perspectives and priorities. It will also foster Tribal understanding of EPA's programs and procedures needed to deal effectively with us.

4. ASSISTANT AND REGIONAL ADMINISTRATORS SHOULD ALLOCATE RESOURCES TO MEET TRIBAL NEEDS, WITHIN THE CONSTRAINTS IMPOSED BY COMPETING PRIORITIES AND BY OUR LEGAL AUTHORITY.

As Tribes move to assume responsibilities similar to those borne by EPA or State Governments, an appropriate block of funds must be set aside to support reservation abatement, control and compliance activities.

Because we want to begin to implement the Indian Policy now, we cannot wait until FY 87 to formally budget for programs on Indian lands. Accordingly, for many programs, funds for initial Indian projects in FY 85 and FY 86 will need to come from resources currently planned for support to EPA-and State-managed programs meeting similar objectives. As I stated earlier, we do not expect to resolve all problems and address all environmental needs on reservations immediately. However, we can make a significant beginning without unduly restricting our ability to fund ongoing programs.

I am asking each Assistant Administrator and Regional Administrator to take measures within his or her discretion and authority to provide sufficient staff time and grant funds to allow the Agency to initiate projects on Indian lands in FY 85 and FY 86 that will constitute a respectable step towards implementation of the Indian Policy.

5. ASSISTANT AND REGIONAL ADMINISTRATORS, WITH LEGAL SUPPORT PROVIDED BY THE GENERAL COUNSEL, SHOULD ASSIST TRIBAL GOVERNMENTS IN PROGRAM DEVELOPMENT AS THEY HAVE DONE FOR THE STATES.

The Agency has provided extensive staff work and assistance to State Governments over the years in the development of environmental programs and program management capabilities. This assistance has become a routine aspect of Federal/State relations, enabling and expediting the States' assumption of delegable programs under the various EPA statutes. This "front end" investment has promoted cooperation and increased State involvement in the regulatory process.

As the Agency begins to deal with Tribal Governments as partners in reservation environmental programming, we will find a similar need for EPA assistance. Many Regional and program personnel have extensive experience in working with States on program design and development; their expertise should be used to assist Tribal Governments where needed.

6. ASSISTANT ADMINISTRATORS, REGIONAL ADMINISTRATORS AND THE GENERAL COUNSEL SHOULD TAKE ACTIVE STEPS TO ALLOW TRIBES TO PROVIDE INFORMED INPUT INTO EPA'S DECISION-MAKING AND PROGRAM MANAGEMENT ACTIVITIES WHICH AFFECT RESERVATION ENVIRONMENTS.

Where EPA manages Federal programs and/or makes decisions relating directly or indirectly to reservation environments, full consideration and weight should be given to the public policies, priorities and concerns of the affected Indian Tribes as expressed through their Tribal Governments. Agency managers should make a special effort to inform Tribes of EPA decisions and activities which can affect their reservations and solicit their input as we have done with State Governments. Where necessary, this should include providing the necessary information, explanation and/or briefings needed to foster the informed participation of Tribal Governments in the Agency's standard-setting and policy-making activities.

7. ASSISTANT AND REGIONAL ADMINISTRATORS SHOULD, TO THE MAXIMUM FEASIBLE EXTENT, INCORPORATE TRIBAL CONCERNS, NEEDS AND PREFERENCES INTO EPA'S POLICY DECISIONS AND PROGRAM MANAGEMENT ACTIVITIES AFFECTING RESERVATIONS.

It has been EPA's practice to seek out and accord special consideration to local interests and concerns, within the limits allowed by our statutory mandate and nationally established criteria and standards. Consistent with the Federal and Agency policy to recognize Tribal Governments as the primary voice for expressing public policy on reservations, EPA managers should, within the limits of their flexibility, seek and utilize Tribal input and preferences in those situations where we have traditionally utilized State or local input.

We recognize that conflicts in policy, priority or preference may arise between States and Tribes as it does between neighboring States. As in the case of conflicts between neighboring States, EPA will encourage early communication and cooperation between Tribal and State Governments to avoid and resolve such issues. This is not intended to lend Federal support to any one party in its dealings with the other. Rather, it recognizes that in the field of environmental regulation, problems are often shared and the principle of comity between equals often serves the interests of both.

Several of the environmental statutes include a conflict resolution mechanism which enables EPA to use its good offices to balance and resolve the conflict. These procedures can be applied to conflicts between Tribal and State Governments that cannot otherwise be resolved. EPA can play a moderating role by following the conflict resolution principles set by the statute, the Federal trust responsibility and the EPA Indian Policy.

8. ASSISTANT ADMINISTRATORS, REGIONAL ADMINISTRATORS AND THE GENERAL COUNSEL SHOULD WORK COOPERATIVELY WITH TRIBAL GOVERNMENTS TO ACHIEVE COMPLIANCE WITH ENVIRONMENTAL STATUTES AND REGULATIONS ON INDIAN RESERVATIONS, CONSISTENT WITH THE PRINCIPLE OF INDIAN SELF-GOVERNMENT.

The EPA Indian Policy recognizes Tribal Governments as the key governments having responsibility for matters affecting the health and welfare of the Tribe. Accordingly, where tribally owned or managed facilities do not meet Federally established standards, the Agency will endeavor to work with the Tribal leadership to enable the Tribe to achieve compliance. Where reservation facilities are clearly owned or managed by private parties and there is no substantial Tribal interest or control involved, the Agency will endeavor to act in cooperation with the affected Tribal Government, but will otherwise respond to noncompliance by private parties on Indian reservations as we do to noncompliance by the private sector off-reservation.

Actions to enable and ensure compliance by Tribal facilities with Federal statutes and regulations include providing consultation and technical support to Tribal leaders and managers concerning the impacts of noncompliance on Tribal health and the reservation environment and steps needed to achieve such compliance. As appropriate, EPA may also develop compliance agreements with Tribal Governments and work cooperatively with other Federal agencies to assist Tribes in meeting Federal standards.

Because of the unique legal and political status of Indian Tribes in the Federal System, direct EPA actions against Tribal facilities through the judicial or administrative process will be considered where the Agency determines, in its judgment, that: (1) a significant threat to human health or the environment exists, (2) such action would reasonably be expected to achieve effective results in a timely manner, and (3) the Federal Government cannot utilize other alternatives to correct the problem in a timely fashion. Regional Administrators proposing to initiate such action should first obtain concurrence from the Assistant Administrator for Enforcement and Compliance Monitoring, who will act in consultation with the Assistant Administrator for External Affairs and the General Counsel. In emergency situations, the Regional Administrator may issue emergency Temporary Restraining Orders, provided that the appropriate procedures set forth in Agency delegations for such actions are followed.

9. ASSISTANT ADMINISTRATORS, REGIONAL ADMINISTRATORS AND THE GENERAL COUNSEL SHOULD BEGIN TO FACTOR INDIAN POLICY GOALS INTO THEIR LONG-RANGE PLANNING AND PROGRAM MANAGEMENT ACTIVITIES, INCLUDING BUDGET, OPERATING GUIDANCE, MANAGEMENT ACCOUNTABILITY SYSTEMS AND PERFORMANCE STANDARDS.

In order to carry out the principles of the EPA Indian Policy and work effectively with Tribal Governments on a long-range basis, it will be necessary to institutionalize the Agency's policy goals in the management systems that regulate Agency behavior. Where we have systematically incorporated State needs, concerns and cooperative roles into our budget, Operating Guidance, management accountability systems and performance standards, we must now begin to factor the Agency's Indian Policy goals into these same procedures and activities.

Agency managers should begin to consider Indian reservations and Tribes when conducting routine planning and management activities or carrying out special policy analysis activities. In addition, the IWG, operating under the direction of the Assistant Administrator for External Affairs and with assistance from the Assistant Administrator for Policy, Planning and Evaluation, will identify and recommend specific steps to be taken to ensure that Indian Policy goals are effectively incorporated and institutionalized in the Agency's procedures and operations.

Attachment