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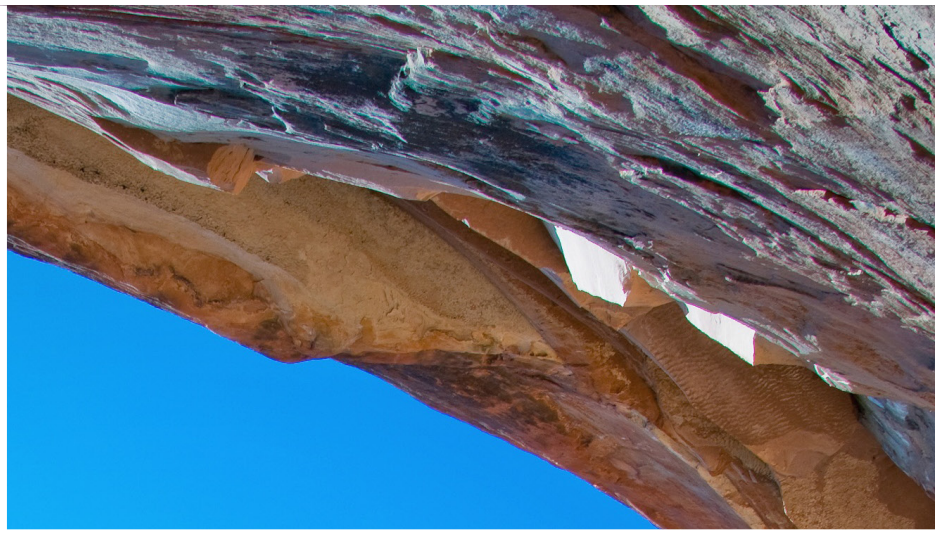
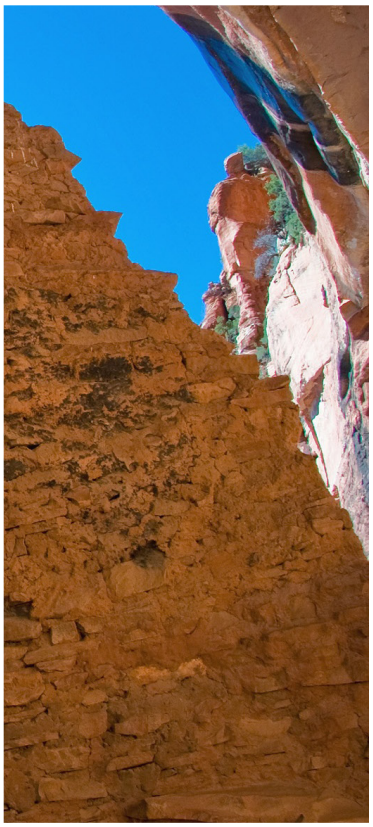
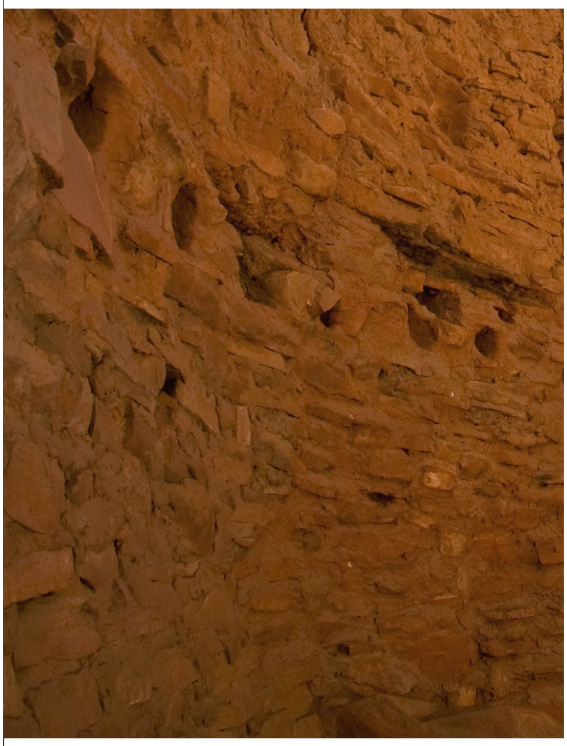






OSWER

TRIBAL PROGRAM REPORT

ACCOMPLISHMENTS AND ACTIVITIES 2014

Monument Valley Navajo Tribal Park, Utah.

CONTENTS

Petroglyphs in sandstone, Anasazi Desert, Utah.

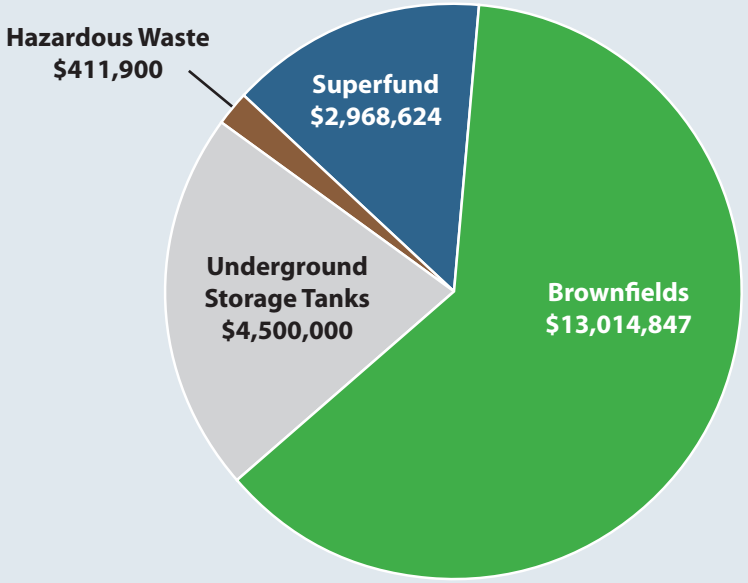
INTRODUCTION

The U.S. Environmental Protection Agency's (EPA) Office of Solid Waste and Emergency Response (OSWER) is committed to protecting human health and the environment while supporting tribes' self-government, acting consistent with the federal trust responsibility, and strengthening the government-to-government relationships between tribes and EPA.

This report is a compilation of OSWER's program-specific tribal activities and accomplishments that details efforts conducted during fiscal year 2014 (FY2014). The report provides information and successes related to special OSWER initiatives. This annual report may be used as a tool to foster communication between EPA and tribal governments, and to provide outreach and technical assistance to tribal governments.

FUNDING OF THE TRIBAL PROGRAM IN OSWER

OSWER provides on average, about $18 to $22 million dollars annually to support tribal program development and site cleanup work in Indian country. OSWER funds cooperative agreements with tribes in the Hazardous Waste, Solid Waste, Superfund, Underground Storage Tank, and Brownfields programs. In FY2014, the total amount of funding allocated to tribal programs was $20,895,371.



Total Tribal Funding in 2014:
$20,895,371

2014—A YEAR IN SUMMARY

In FY2014, OSWER continued to successfully address its major initiatives. OSWER funding supported over 140 cooperative agreements with tribes to build program capacity in OSWER programs, and a strong array of tribal-specific training on solid and hazardous waste, emergency preparedness, tribal response programs, and underground storage tank (UST) prevention and cleanup. This past year, OSWER continued its partnership with the Institute for Tribal Environmental Professionals (ITEP) to promote information exchange and stronger partnerships with tribes and EPA. These efforts have increased tribal participation in key EPA programs and initiatives, which has contributed significantly to a greater understanding of environmental conditions nationwide.

PROGRAM-BY-PROGRAM TRIBAL ACCOMPLISHMENTS

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE (OSWER)

OSWER COOPERATIVE AGREEMENT WITH THE INSTITUTE FOR TRIBAL ENVIRONMENTAL PROFESSIONALS (ITEP)

OSWER awarded a five-year cooperative agreement to ITEP at Northern Arizona University to support Native American tribes and Alaska Native Villages through training, technical assistance, and research and studies in the areas of solid waste and hazardous waste, resource conservation, brownfields, Superfund, underground storage tanks, and emergency response. The cooperative agreement with ITEP supports all six OSWER program offices and their related missions and authorities.

Through its cooperative agreement, ITEP:

- Supports a national steering committee of tribal professionals;
- Designs and delivers specialized solid waste and emergency response training courses;
- Conducts specialized research projects in partnership with faculty and researchers at Northern Arizona University and tribal and federal partners; and
- Convenes the Tribal Lands and Environmental Forum.

ITEP National Tribal Steering Committee

The ITEP National Tribal Steering Committee ensures that tribal needs and priorities are addressed. Steering committee members meet four times a year to discuss program activities and are responsible for promoting information exchange among tribes and EPA, assisting tribes with training, compliance and technical assistance, and analyzing policy to find improved approaches and solutions to issues within the scope of OSWER programs.

The current members of this steering committee are:

- **Victoria Flowers** (Oneida Tribe of Indians of Wisconsin)
- **Alexander James** (Yakutat Tlingit Tribe)
- **Tim Kent** (Quapaw Tribe of Oklahoma)
- **Katie Kruse** (Keweenaw Bay Indian Community)
- **Victoria Kotongan** (Native Village of Unalakleet)
- **Virginia LeClere** (Prairie Band of Potawatomi)
- **Rob Roy** (La Jolla Band of Luiseno Indians)
- **Elliot Talgo** (San Carlos Apache Tribe)
- **John Wheaton** (Nez Perce Tribe)

For more information about the ITEP National Steering Committee, please visit the website at http://www4.nau.edu/itep/waste/ntsc.asp.

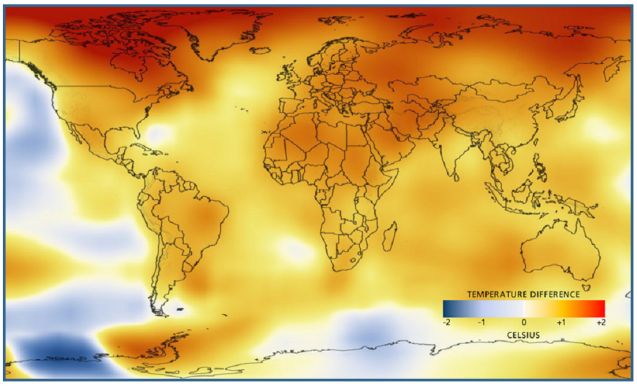
OSWER CROSS-PROGRAM COORDINATION

OSWER recognizes that there are opportunities to leverage and integrate tribal activities across related OSWER programs to increase effectiveness and efficiencies in the program. In 2014, several OSWER programs continued actively coordinating on tribal response activities. The Office of Superfund Remediation and Technology Innovation, Office of Brownfields and Land Revitalization, Office of Emergency Management and Office of Underground Storage Tanks, are working together to more effectively coordinate programmatic capacity on oversight and enforcement of response actions to protect human health and the environment, mechanisms for meaningful public participation, and guidance for assessing and cleaning up petroleum contamination on tribal lands.

CLIMATE CHANGE

OSWER recognizes that climate change will pose unique challenges to tribes and other indigenous populations, which are particularly vulnerable to the impacts of climate change due to the integral nature of the environment within their traditional lifestyles and culture. While tribes and indigenous populations will likely be disproportionately vulnerable to climate change, they are also uniquely positioned to provide valuable community level, culturally relevant data, information on climate change impacts, and relevant solutions. OSWER will work together with our tribal partners to tackle the many challenges of climate change. These changes include:

- **Rising temperatures, increased drought and wildfires**
- **Sea level rise**
- **Changing precipitation patterns**
- **Reduced permafrost**
- **Increased intensity of hurricanes**



Without proper protections and effective restoration, the presence of uncontrolled hazardous substances in surface water, ground water, air, soil and sediment can cause human health concerns, threaten healthy ecosystems, and inhibit economic opportunities on and adjacent to contaminated properties. Waste on the land can also migrate to ground water and surface water, contaminating drinking water supplies. There are multiple benefits associated with cleaning up contaminated sites:

- **Reducing mortality and morbidity risk**
- **Preventing and reducing human exposure to contaminants**
- **Reducing impacts to ecosystems**
- **Making land available for commercial, residential, industrial or recreational reuse**
- **Promoting community economic development**

OSWER developed a *Climate Change Adaptation Implementation Plan.* During development of the Plan, OSWER reached out to tribes through informational webinars and calls to collect their feedback. OSWER also incorporated into the Plan concerns raised by tribes about climate change adaptation issues during previous Agency-wide consultations. The Climate Change Adaptation Implementation Plan describes OSWER's process for identifying climate change impacts to its programs and the plan for integrating consideration of climate change impacts into the office's work. OSWER will monitor the status of climate science, particularly as it relates to known or anticipated impacts on OSWER's program areas, as well as the effectiveness of its program activities under changing conditions, and update or adjust its direction as necessary. As its knowledge evolves, OSWER will continue to refine its approach to climate change adaptation and build on the current plan.

OFFICE OF EMERGENCY MANAGEMENT (OEM)

EPA's mission in emergency management is to work through our regional offices and federal, tribal, state and local partners to prevent, prepare for and respond to releases of oil and hazardous substances. The Office of Emergency Management (OEM) is responsible for helping to prevent and respond to radiological and biological incidents. OEM staff comprises about 250 emergency responders who are ready to deploy to anywhere in the country. OEM's Emergency Operations Center (EOC) is EPA's nerve center for major incidents. OEM works with approximately 650,000 chemical and oil facilities to prevent dangerous releases or spills by inspecting regulated above ground oil storage facilities and by reviewing Risk Management Plans of facilities that store certain quantities of chemicals.

FY2014 Totals	
Number of Spill Prevention Control and Countermeasures (SPCC) regulated facilities inspected in Indian country	**67**
Number of spills and releases of hazardous substances occurring in Indian country, where EPA is the lead	**5**
EPA-lead Removal Actions	**11**
RMP Inspections	**2**

- Inspects facilities across the country to help safeguard against accidental releases.
- Assists state, tribal and local planners develop emergency response plans.
- Deploys experienced personnel and advanced technologies such as the Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft, which is available 24/7/365 to respond to releases of oil and chemicals anywhere in the United States.
- Provides real time toxic chemical analysis with the Portable High Throughput Integrated Laboratory Identification Systems (PHILIS), empowering states, tribes, and local governments with the "Right-to-Know" information on chemicals in their communities.

FY2014 ACCOMPLISHMENTS

OEM Training

- Indian Country Environmental Hazard Assessment Program (ICEHAP). OEM provided funding for an eighth year to the United Tribes Technical College (UTTC) in North Dakota to sponsor this online semester-long course. This course teaches participants to recognize environmental conditions that may cause harm to tribal community health; develop work plans that they can use to address hazards often identified by surveying in writing grant proposals; survey their communities for environmental issues of concern; and gather available and potential resources for environmental problem resolution.
- Spill Prevention Control and Countermeasures 40-hour Inspector Course tribal participation. OEM provided opportunities for tribal environmental professionals to learn more about this program so that they may assist EPA in identifying facilities and report issues to regional EPA offices.

Regional Training and Exercises

Region 8

- Provided two HAZMAT 40-hour classes for approximately 70 tribal staff.
- Organized a drill with local, state and tribal agencies, federal agencies, and other partners and participated in the Mandan, Hidatsa & Arikara Nation Emergency Response / Recovery Exercise for the Water Sector. The tabletop exercise was held in New Town, North Dakota in October, 2014.

Region 10

- Assisted in providing 24 Hour Tribal Oil and HAZMAT Response Awareness Training, in Ferndale, Washington.
- The Lummi Tribe, EPA, U.S. Coast Guard (USCG), and the Washington Department of Ecology provided awareness level training to 47 Tribal members and staff representing 14 Tribes. Held an Oil Spill Response Training Session in Fairbanks, Alaska for approximately 17 tribal representatives.

PROGRAM HIGHLIGHTS

Oklahoma Refining Company Cyril, OK (EPA Region 6)

Aerial view of the Oklahoma Refining Company site.

This closed refinery operated from 1920 to 1984 producing a variety of petroleum products including gasoline, naphtha, asphalt and solvents. In 1978, the Oklahoma Refining Company (ORC) purchased the facility and continued to produce petroleum products. The ORC site was placed on the National Priorities List in 1990. The EPA identified ground water metals and organic contamination in the upper Rush Springs Sandstone aquifer. In 2001, EPA authorized the construction of two landfills on-site and the treatment of contaminated sediment and surface soil. The refinery is located near the downtown area of Cyril, Oklahoma, with tribal residences abutting the site. There was asbestos insulation hanging off the tanks, piping, and towers, piled up on the ground, and "stored" in buildings. There was an unsecured laboratory with miscellaneous chemicals and improperly stored drums onsite. Additionally, the site was not restricted and there was evidence of children climbing on top of towers. In 2003, the EPA removal program addressed these imminent and substantial threats to public health and the environment and clean up continued for several years. The EPA sought additional funding for the site from the USCG allowing for the evaluation of oily wastes, storage tanks, shallow groundwater and a nearby creek. After local and state reports of children getting access to a site drainage pond, a removal action was conducted to install fencing in 2014.

Inchelium Wood Treatment Plant Inchelium, WA (EPA Region 10)

The former Inchelium Wood Treatment Facility.

In 2014, EPA performed a removal evaluation and action at this site, which consisted of a former wood treatment plant that used chromated copper arsenate (CCA) and operated from 1985 until 2005. Previous investigations found widespread metals contamination, including chromium, copper, arsenic and lead in soil and concrete. The Confederated Tribes of the Colville Reservation (CTCR), the current site owner, worked with the EPA to identify facility closure criteria. The Colville Business Council agreed to allocate $3,000,000 to the CTCR's Environmental Trust Department to fund a cleanup. In August 2014, the Council entered into a cleanup agreement that provided money from CTEC to enable the EPA to conduct the removal action. EPA and the tribe wanted to reduce human exposure to contaminated materials and clean up the site for industrial development use. In fall of 2014, the EPA removed over 1,000 tons of concrete, 17,000 tons of contaminated soil, 9,000 gallons of contaminated wastewater and disposed of 11 aboveground storage tanks.

ADDRESSING CHALLENGES AND MOVING FORWARD

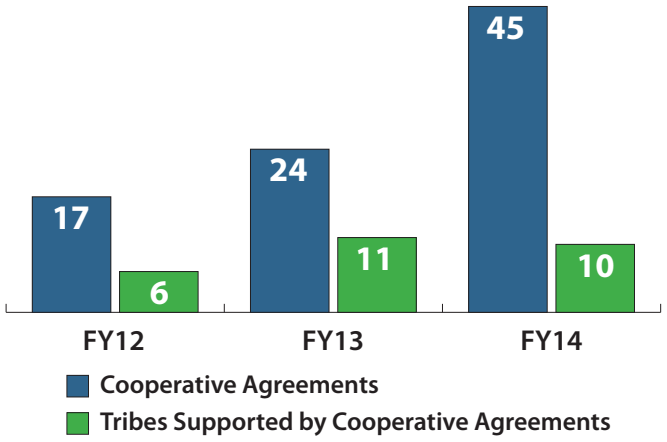
- Under the Executive Order for Chemical Safety and Security, OEM has been working with state, local and tribal organizations to improve preparedness for chemical incidents. These facilities are often located in communities where funding is scarce and organizational structure of local emergency management organizations is often lacking.
- To address the challenge, OEM will focus on leveraging resources by working with State Emergency Response Commissions (SERCs) and Tribal Emergency Response Commissions (TERCs) to develop on-line training on key requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA).
- OEM will also develop guidance and training for Local Emergency Planning Committees (LEPCs) and Tribal Environmental Planning Committees (TEPCs) to reinforce their authorities, roles and responsibilities and identify barriers to meet their requirements for development and implementation of local emergency response plans.
- OEM will continue to work with all concerned tribes to address the issue of railroad shipments of crude oil through Indian Country. OEM is working with fellow federal agencies, including the Department of Transportation, to address tribal planning and outreach needs in the case of a rail related emergency.

OFFICE OF SUPERFUND REMEDIATION AND TECHNOLOGY INNOVATION (OSRTI)

EPA works closely with states, tribes, and other federal agencies to implement the Superfund Remedial Program to clean up the nation's uncontrolled hazardous waste sites.

- A number of tribes are involved at Superfund sites that represent significant human health and environmental risks impacting tribal communities.
- The Navajo Nation and Cherokee Nation Superfund programs, supported by EPA, conducted site assessments at sites on their lands for EPA.
- Superfund is expanding the membership and responsibilities of the Tribal Superfund Working Group, composed of EPA HQ and regional personnel and tribal environmental staff. There are now over 100 tribal members.

New FY2014 Superfund Cooperative Agreements



FY2014 ACCOMPLISHMENTS

New Superfund Tribal Cooperative Agreements (CAs) in FY 2014:

The majority of CA funding went to **support agency CAs (83 percent)**. The remainder went to **core (8 percent)**, **remedial action (9 percent)** and **preliminary assessment/site inspection (PA/SI) (less than 1 percent)**. Other ongoing tribal CAs continued and did not require additional funds in FY2014.

$2,968,624 was awarded for **45 CAs** to **10 tribes**.

- **$950,610 was from the general Superfund account** and the remainder, more than **65 percent**, was from special accounts provided by potentially responsible parties.
- Funding ranged from **$589,475** to the **CTCR** to less than **$1,000 for PA/SI CAs** awarded to the **Cherokee Nation**.
- The largest share of funding, approximately **$749,596** went to four CAs awarded to the **St. Regis Mohawk Tribe**.
- A **total of $745,883** went to the **Navajo Nation** to address the uranium mining legacy on the reservation.

Tribes receiving new CA funding in FY2014:

- *St. Regis Mohawk Tribe*
- *Navajo Nation*
- *CTCR*
- *Quapaw Tribe of Oklahoma*
- *Spokane Tribe*
- *Shoshone Paiute Tribes*
- *Shoshone-Bannock Tribes*
- *Elem Indian Colony*
- *Cherokee Nation*
- *Suquamish Indian Tribe of the Port Madison Reservation*

PROGRAM HIGHLIGHTS

The tribal Superfund program predominantly addresses site specific cleanups, and in FY2014, there were two major ongoing tribal cleanup successes.

Uranium Contamination Cleanup on Navajo Nation (EPA Region 9)

Navajo residential house after cleanup action.

The Navajo Nation includes 27,000 square miles of uranium-rich land in the Four Corners area. Between 1944 and 1986, nearly four million tons of uranium ore was mined, leaving a legacy of uranium contamination including over 500 abandoned uranium mines, as well as homes and drinking water sources with elevated levels of radiation. During the first Five-Year Plan (2008-2012), the Navajo Nation, EPA and five other federal agencies worked together to assess more than 520 mines, 800 homes and 240 drinking water wells, and to provide more than $100 million for cleanup. The second Five-Year Plan (2014-2018) includes strategies for enhanced coordinated outreach and education and a workforce development and training program for the employment of Navajo workers in connection with the investigation and cleanup of the contamination. In 2014, the United States entered into a historic legal settlement that will provide approximately $984,500,500 to investigate and clean up approximately 50 uranium mines on or near the Navajo Nation that were operated by Kerr-McGee Corporation. EPA is committed to working with the Navajo Nation to address the most immediate contamination risks and find long-term solutions to the remaining risks on Navajo lands.

Lower Duwamish Waterway (EPA Region 10)

Fisherman involved with the Fisher Study.

The Lower Duwamish Waterway (LDW) Superfund Site is a 5-mile stretch of the Duwamish River that flows into Elliott Bay in Seattle, Washington. PCBs, dioxins/furans, polycylic aromatic hydrocarbons and arsenic pollute the river sediments, resulting in high contamination levels in resident fish and shellfish. This environmental justice site has tribal concerns, though it is not on tribal land. A Duwamish tribal member leads EPA's Technical Advisory Group. Community members use the Lower Duwamish for subsistence fishing, recreation and as a cultural resource. EPA is currently conducting a Fishers Study to determine the effectiveness of institutional controls at the site. Although a fish advisory is in effect, EPA, Washington State and local authorities are working with the community to more effectively address fish consumption concerns. Lessons learned from the study include the necessity to involve the community early and often; addressing subsistence fishing requires social science in addition to engineering; relationships and trust are very important; there is not a "one size fits all" solution for every fishing site or community; and these issues are complex and cannot be solved overnight. Another important lesson is that "well-being" includes things such as stress reduction and recreation, and is broader than "health" aspects considerations including cancer and noncancer risks.

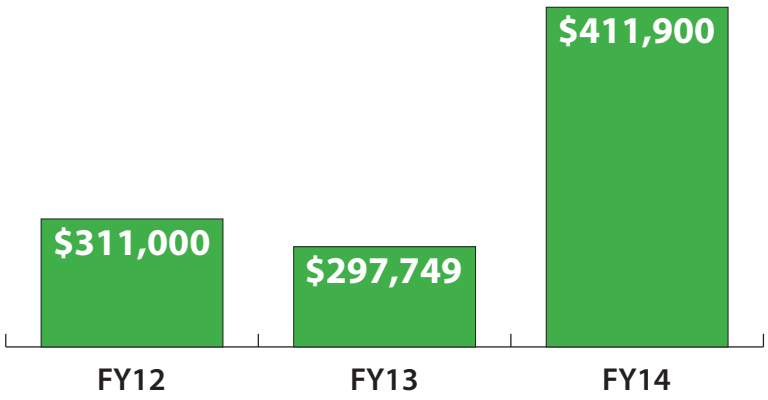
ADDRESSING CHALLENGES AND MOVING FORWARD

- OSRTI is working to increase tribal involvement in cleanups at sites impacting tribal lands.
- OSRTI is also addressing the challenge of considering tribal concerns, such as traditional ecological knowledge (TEK), in the remedy selection process.

OFFICE OF RESOURCE CONSERVATION AND RECOVERY (ORCR)

The OSWER Office of Resource Conservation and Recovery (ORCR) administers the EPA's waste management programs under the authority of the Resource Conservation and Recovery Act (RCRA). RCRA promotes energy and resource conservation through recycling, recovery, reduction, clean up, and the elimination of waste. ORCR provides national program direction and partners with the EPA regions and other federal agencies to assist tribes with the management of their waste by providing technical assistance and grant funding. Technical assistance includes developing informational and educational materials and supporting training programs. ORCR also provides national policy direction for the EPA's tribal waste management programs. These activities directly support ORCR's program priority of promoting sustainable tribal waste management programs through the development and implementation of Integrated Waste Management Plans.

ORCR Hazardous Waste Management Grant Program for Tribes Funding



In FY 2014, EPA funded 7 projects totaling $411,900 through the Hazardous Waste Management Grant Program for Tribes

EPA is committed to developing a new tribal waste management performance measure as part of its commitments under The Environmental Agency-Wide Plan to Provide Solid Waste Management Capacity Assistance to Tribes (the Plan). The following tribal waste management performance measure will be implemented and tracked as an internal measure in FY2015 and FY2016: "Number of tribes where waste management program capacity has been improved through technical assistance provided by EPA." As stated in the Plan, the EPA's main tribal solid waste management priority, which is intended to address the most pressing waste-related environmental issues on tribal lands, is the promotion of sustainable tribal waste management programs through the development and implementation of Integrated Waste Management Plans (IWMPs). The tribal waste management performance measure focuses on the Agency's activities to assist tribes in the development and implementation of waste management programs and to advance the ongoing development of tribal capacity for building sustainable waste management programs.

FY2014 ACCOMPLISHMENTS

At the end of FY2014, **193 tribes** were covered by an IWMP, and **890 open dumps** were closed, cleaned up, or upgraded.

	FY12	FY13	FY2014
Tribes Covered by an Integrated Waste Management Plan	147	173	193
Open Dumps Closed, Cleaned Up or Upgraded	721	827	890

PROGRAM HIGHLIGHTS

Tribal Demonstration of Community-Based Social Marketing (CBSM) Fosters Sustainable Behavior (EPA Region 5)

The Fond du Lac Band of Chippewa, located in Minnesota, demonstrated a thorough approach to community-based social marketing (CBSM) to develop positive behavior strategies and provide a culturally appropriate CBSM model for tribes through funding provided by the EPA and contractor support. The demonstration project focused on increasing recycling behavior at the Band's tribal and community college. The Band conducted research to identify barriers, implemented a pilot project using specific CBSM techniques and measured the results. Particularly, the Band found through its research that the majority of students supported the idea of recycling, but the barrier was not enough recycling bins to remind them to recycle. With student input, the Band used the CBSM "prompt" technique of strategic signage and placement of recycling bins. Results from the pilot showed increases in the recycling rate at major locations throughout the campus. The Band is using the lessons learned from the pilot to fine tune the recycling program campus-wide and will share the tools developed from this project with other tribes. Region 5 is also developing a CBSM toolkit for tribes and tribal colleges to encourage more CBSM approaches to promote positive environmental behaviors.

Washoe Tribe of Nevada and California Conducts Hazardous Waste Collection and Outreach (EPA Region 9)

The Washoe Tribe has four federally-recognized communities (Stewart, Carson, Dresslerville and Woodfords), totaling more than 900 residents. Through the FY 2014 Hazardous Waste Management Grant Program for Tribes, the Washoe Tribe completed household hazardous waste (HHW) collection events in each of the communities, resulting in the safe management and disposal of tires, white goods, used electronics, car batteries and approximately 100 gallons of used paint, oil and antifreeze. These collection events provided residents with an opportunity to safely dispose of their stockpiles of household hazardous waste. To create a sustainable program, the Tribe leveraged GAP funds to establish permanent, accessible HHW collection stations in each of the four communities. In addition to sponsoring the collection events, the Tribe used the grant funds to conduct outreach to the four communities on the HHW program and green cleaning alternatives.

Items collected during the tribe's hazardous collection event.

ADDRESSING CHALLENGES AND MOVING FORWARD

- ORCR is collaborating with the EPA regions to implement the new internal tribal waste management performance measure.
- ORCR is collaborating with tribal partners on the development and implementation of IWMPs to promote sustainable waste management programs.
- ORCR continues to foster a collaborative partnership between federal agencies to address waste management issues in Indian country through the Infrastructure Task Force (ITF), which has established a Waste Programs Sub-Workgroup (SWG). Through three Work Teams, the SWG is developing approaches and deliverables for engaging tribal communities on solid waste issues, promoting the development and use of IWMPs and addressing open dumps. The following are expected outcomes from the three Work Teams: 1) Assessing Barriers to Sustainability and Resources; 2) Community Engagement Strategies; and 3) Open Dump Inventory, Health Assessment and Sanitary Deficiency System Data.

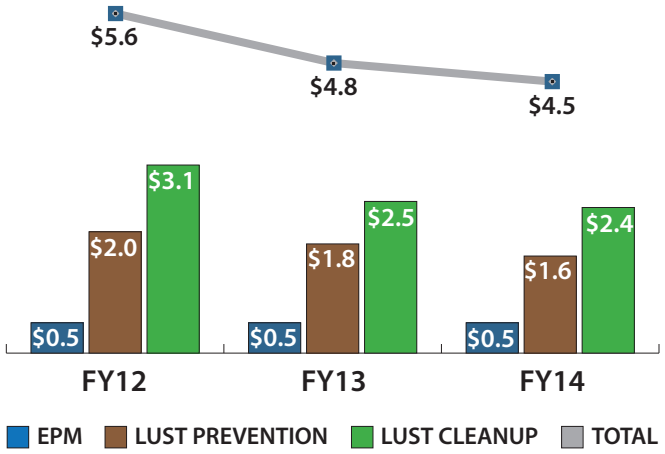
OFFICE OF UNDERGROUND STORAGE TANKS (OUST)

EPA's Underground Storage Tank (UST) program works with about 190 tribes to prevent releases at 2,516 USTs (about 900 facilities) that store petroleum or hazardous substances in Indian country. The potential threat from a leaking UST (LUST) is contamination of ground water, a source of drinking water for nearly half of all Americans. EPA's OUST, in partnership with EPA's regional offices, implements the UST program in Indian country. OUST provides technical and financial support to tribal governments to prevent and clean up petroleum releases from USTs.

EPA's UST program receives three types of funding from Congress to manage different parts of the tribal UST program:

- Environmental Programs and Management (EPM) funds, which support EPA's Indian country UST prevention program;
- LUST Trust Fund prevention funding for Indian country tribal assistance agreements (grants) to prevent releases; and
- LUST Trust Fund to support EPA's Indian country cleanup program and tribal cleanup cooperative agreements.

EPA's UST Indian Country Budget By Appropriation (in millions)



In FY 2014, EPA's UST Program provided grant funding to about 30 tribes and tribal consortia. Tribes used these grants primarily to provide compliance assistance to tank owners and operators in Indian country.

FY2014 ACCOMPLISHMENTS

Improving Compliance

EPA and tribes continued a joint investment to provide compliance assistance that improves owners, operators and environmental managers' knowledge of UST regulations and what to expect during an inspection.

OUST's goal for national compliance rates in FY2014 was 70 percent and **achieved 68 percent compliance in Indian country.**

Completing Cleanups

Over the course of the program, OUST has confirmed **1,375 releases in Indian country** and as of FY2014 OUST has **cleaned up 78 percent.**

In FY2014, **EPA completed 26 cleanups in Indian country.** This is a substantial increase from the 18 cleanups completed in FY2013.

UST Webinar Series, August 25-29, 2014: EPA's OUST has been holding its annual meeting with tribal partners in conjunction with the ITEP Tribal Lands and Environment Forum. There was no Tribal Lands Forum in 2014. Therefore, OUST offered a series of UST-related webinars in place of our national meeting. The information discussed included an introduction to the UST program, the federal budget process, opportunities for collaboration and communication, using commercial insurance, reading a contractor's cleanup data report, and office hours with Carolyn Hoskinson, OUST's Director.

PROGRAM HIGHLIGHTS

Eastern Band of Cherokee Indians: Proactive in Instituting Measures to Promote Leak Prevention and Cleanups (EPA Region 4)

The Eastern Band of Cherokee Indians (EBCI) has been at the forefront of taking steps to prevent and cleanup releases from USTs. In 2014, EBCI strengthened their UST ordinance, which is environmentally protective of their lands. EBCI has a long-standing, precedent setting Memorandum of Agreement (MOA) with EPA and North Carolina (NC), which formalizes the existing relationship between the EBCI and the state; defines each party's responsibilities to assure compliance and oversee remediation at UST facilities on the reservation; and provides EBCI UST owners and operators access to NC's tank cleanup fund. EBCI was among the first to obtain federal credentials for their tribal UST inspector. In addition, EBCI has been aggressive and effective in mitigating an UST release from the Golden Eagle Exxon, which affected their drinking water supply. EBCI built a cofferdam to contain the release, relocated the water intake further upstream and expanded compliance assistance to prevent a recurrence.

Minnesota Tribes Build Capacity to Provide Underground Storage Tank Compliance Assistance and Inspections (EPA Region 5)

EPA Region 5 has strong working relationships with tribes. EPA Region 5 uses Direct Implementation Tribal Cooperative Agreements (DITCAs) for tribes to train tribal staff on UST regulations, provide compliance assistance to local facilities, and obtain federal inspector credentials, whenever possible.

In 2014, due to staff turnover, EPA and several Minnesota tribes developed a strategy to retrain UST compliance assistance and inspector staff. They identified John LeBlanc, an experienced credentialed inspector with the Red Lake Nation, as a mentor for newer tribal compliance assistance staff. Mr. LeBlanc will also conduct inspections at eight Minnesota tribes until new tribal staff can be credentialed. This approach will allow tribal staff to be trained quickly and conserve EPA's staff resources and travel time.

ADDRESSING CHALLENGES AND MOVING FORWARD

- Sustaining and improving the rate of significant operational compliance in Indian country as resources tighten continues to be a challenge. OUST recently finalized regulations to improve prevention of UST releases and detect them quickly in Indian country.
- Completing cleanups and reducing the backlog of 298 sites in Indian country will continue to become more difficult because OUST is addressing sites that require more complex cleanups and take more time and resources to complete. OUST's FY 2015 goal of completing 30 cleanups in Indian country is challenging as resources tighten and complex sites continue to place a demand on resources.

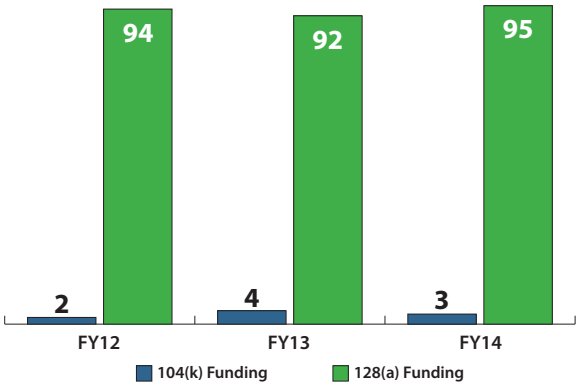
OFFICE OF BROWNFIELDS AND LAND REVITALIZATION (OBLR)

Many contaminated sites in Indian country are a result of past activities of federal or tribal entities or other enterprises that have long been abandoned. The Brownfields program, through brownfields grants (authorized under CERCLA 128(a) or 42 U.S. Code 9628), enables tribal communities to establish and enhance tribal response programs, assess and cleanup contaminated properties, and return the areas to uses that meet tribal needs.

Number of tribes awarded cooperative agreements in FY2014:

- 128(a): 95; 5 new grantees
- 104(k): 1 tribe awarded a brownfields assessment grant and 2 tribes awarded brownfields cleanup grants

Number of Brownfields Grants to Tribes



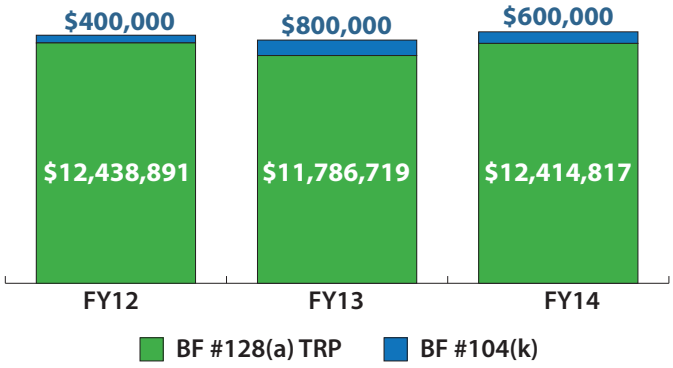
In FY2014, through the Brownfields State and Tribal Response Grant Program, over $11 million dollars were allocated to 95 tribes to fund activities to establish and enhance their tribal response programs.

FY2014 ACCOMPLISHMENTS

The Office of Brownfields and Land Revitalization (OBLR) Brownfields funding enabled tribes to continue to address contaminated properties in Indian Country. In FY2014:

- **384 properties** with completed cleanups and institutional controls in place
- **1,444 total acres** with completed cleanups and institutional controls in place
- **560 properties** in which assistance was provided, but they were not enrolled
- **1,231 properties** enrolled in the Tribal Response Program (TRP)

Brownfields Cooperative Agreements to Tribes



OBLR continued the regional Targeted Brownfields Assessments (TBA) of sites identified by tribes, upon request by tribes, as resources allow. In FY2014:

- **30 tribal communities** received TBA assistance.

Tribes use CERCLA 128(a) TRP funding for a variety of activities. Tribal Response Programs conduct assessments and provide oversight at properties, create codes and ordinances, develop inventories of properties, and educate their communities about the value of protecting and restoring tribal natural resources and community health.

	Tribal ARC* Grant Accomplishments in FY2014 *(annual Increment)*	Tribal Section 128(a) Grant Accomplishments in FY2014 *(annual increment)*	Total Tribal Accomplishments Since FY2006 *(cumulative through FY2014)*
Assessments Completed	4	95	297
Cleanups Completed	1	15	50
Jobs Leveraged	0	59	517
Funding Leveraged	$0	$2,173,000	$56,862,111

PROGRAM HIGHLIGHTS

Northern Cheyenne (EPA Region 8)

The Northern Cheyenne Tribe (NCT), located in southeast Montana, prioritized burned and/or abandoned structures in Lame Deer, its largest town, for cleanup through use of its Section 128(a) TRP funding. Through the years, the tribe has compiled and maintained an inventory of properties of potential brownfields properties. In July 2014, the Tribe's Brownfields Coordinator facilitated the collection of samples at 15 brownfields properties by EPA's emergency response personnel. They found eight properties contaminated with asbestos. Officials removed approximately 510 tons of asbestos-containing waste material from the reservation. The eight properties are now available for unrestricted redevelopment. One of the properties is considered prime real estate because of its location at the reservation's busiest intersection - Highway 212, the main east/west highway through the reservation and Cheyenne Avenue, Lame Deer's main street. Redevelopment plans for this highly accessible property is a tribally-owned business mini-mall for small business owners to establish shops and spur local economic development. The U.S. Department of Agriculture (USDA) is partially funding the redevelopment through the Northern Cheyenne Housing Authority. The other seven properties cleaned up through this joint NCT/EPA partnership are being considered for redevelopment as affordable housing.

Navajo and Alaskan Native Village Environmental Workforce Development and Job Training (EPA Region 9 and EPA Region10)

Through EPA's Environmental Workforce Development and Job Training grant program, unemployed tribal residents are gaining environmental certifications that equip them with the skills needed to secure full-time employment in the environmental field. Through a grant awarded to Zender Environmental Health and Research Group (ZENHRG) in Anchorage Alaska, ZENHRG is providing unemployed Native Alaskans from rural towns throughout the state 168 hours of instruction in areas such as: 40-hour HAZWOPER, freon recovery, resource recovery and solid waste management, landfill operator, forklift operator, above-ground storage tank removal, oil spill cleanup, emergency response, water and soil sampling and confined space entry. Under ZEHRG'S last grant, 36 individuals completed training, and of those, 32 were placed in full-time employment within their native villages. Through a grant awarded to Northern Arizona University, unemployed Navajo residents are being provided 142 hours of instruction in 40-hour HAZWOPER, radiological technician training, environmental health and safety, and hazardous waste site sampling and cleanup. Training under this grant is ongoing and Northern Arizona University anticipates training 36 individuals and placing 35 of those individuals in full-time employment. This grant will help the Navajo Nation provide critical training to assist local, unemployed residents secure employment related to the cleanup of uranium mine tailings and other hazardous waste sites in their community.

ZENHRG trainees participating in a HAZWOPER emergency response exercise.

ADDRESSING CHALLENGES AND MOVING FORWARD

- Working to increase tribal capacity to establish and enhance effective TRPs.
- Improving engagement and support of tribes.
- Balancing new tribal requests for CERCLA 128(a) funding and providing adequate support to existing entities to establish and enhance their response programs continue to be challenges because of high demand for the limited CERCLA 128(a) funding appropriated annually.

CONCLUSION

This 2014 OSWER Tribal Program Report documents accomplishments and activities with tribal partners to increase awareness, understanding and implementation of EPA programs. With continuous input from tribal partners and a process in place to gauge effectiveness on an annual basis, OSWER is prepared to meet new and emerging environmental challenges in 2015 and the years to come.

OSWER is committed to continuing to work with tribes to help them meaningfully participate in government decisions on land cleanup, emergency preparedness and response, and the management of hazardous substances and waste. In addition, new issues are consistently raised, such as establishing sustainable waste management in tribal communities, tackling the myriad of challenges associated with climate change, the need for more technical assistance related to mining issues (especially abandoned uranium mines), and new opportunities for integrating "green" approaches into environmental management programs and revitalization efforts (such as developing alternative energy enterprises on contaminated lands).

OSWER will continue to use this report to maintain conversations with tribes, identify needed changes or updates to OSWER programs, discuss information efforts and concerns of tribes and tribal partners, and expand coordination among OSWER, other EPA program offices and federal agencies.

Marble Canyon, Red Rocks, Utah

Mathy Stanislaus, Assistant Administrator for OSWER, with the Tribal Waste and Response Assistance Program Steering Committee Members. From left to right: Alex James, Tim Kent, Virginia LeClere, Julie Jurkowski, Victoria Kotongan, Rob Roy, Elliott Talgo, Mathy Stanislaus, Katherine Kruse, Victoria Flowers, Janice Sims, Mehrdad Khatibi, Todd Barnell, and John Wheaton.

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