

EPA Report for April 2011 RTOC

Communities and Ecosystems Division

Tribal Program Office

1. Timothy Grant is the Acting Manager for the Tribal Program Office

Tim will be working closely with Nate Lau Associate Director on Tribal Program activities. Tim is Acting Manager until May 7 and will be followed by other TPO staff serving eight week assignments. These temporary assignments will continue until Region 9 fills the Tribal Program Manager vacancy.

2. Consultation Policy

EPA anticipates finalizing its Tribal Consultation Policy on May 2, 2011. Region 9 will work with the RTOC Consultation Work Group to determine what changes, if any, should be made to Region 9's Tribal Consultation Approach.

A highlight of EPA's policy is that it sets a broad standard for when EPA should consider consulting with federally-recognized tribal governments and is intended to be broader than what was called for in the President's November 5, 2009 memorandum on tribal consultation.

The goals of the Policy are to:

- Establish clear EPA standards for the consultation process, including defining the what, when, and how of consultation;
- Designate specific EPA personnel responsible for serving as consultation points of contact in order to promote consistency in, and coordination of, the consultation process; and
- Establish a management oversight and reporting structure that will ensure accountability and transparency.

Toxics Program

1. Lead Exposure and Children's Health

Minimizing Exposure of American Indian Children to Sources of Lead Poisoning: In 2010, EPA Region IX awarded a tribal lead grant to Inter-Tribal Council of Arizona, Inc. (ITCA), enabling ITCA to conduct outreach activities for reducing childhood lead poisoning among tribal communities and tribal residents in Arizona. Under this tribal lead grant, ITCA is conducting outreach at its member tribes in Arizona as well as Navajo Nation. For additional information on ITCA's efforts: <http://www.epa.gov/region9/tribal/news-features/news10/tribal-reducing-exposure-lead.pdf> - EPA encourages Region IX tribes to share this information with tribal

community members, tribal organizations and tribal community groups; other tribes across the nation; and your non-tribal partners in protecting health and environmental quality. EPA recommends sharing this information prepared by ITCA with tribal housing/building maintenance staff; tribal health/nursing staff; tribal daycare/preschool/HeadStart/educational staff; parent/teacher/youth groups; and other interested members of your tribal communities. Contact: Dr. Patrick McMullen, ITCA Community Development Director, 602-258-4822; Patrick.McMullen@itcaonline.com -

Preventing Lead Hazards during Renovation: Beginning in 2010, the Renovation, Repair and Painting (RRP) rule requires contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities and schools built before 1978 to be certified and follow specific work practices to prevent lead contamination. Find detailed information about the rule requirements and how to become certified at:

www.epa.gov/lead/pubs/renovation.htm. EPA encourages tribal governments and community members to report unsafe work practices through an online tip and complaint form:

www.epa.gov/region9/lead/tips-complaints.html.

Contact: Jean Prijatel, EPA Region 9 Lead-Based Paint Program, prijatel.jean@epa.gov or 415.947.4167.

Protecting Children's Environmental Health: Protecting children from environmental hazards is a high priority for EPA. Children may be more vulnerable to environmental exposures than adults because their bodily systems are still developing; children eat, drink and breathe more in proportion to their body size than adults; and the behavior of children potentially exposes them to more pollutants and contaminants in their daily environment. If you are interested in exploring opportunities to protect children's health, contact EPA Region IX Children's Environmental Health Coordinator, Kathleen Stewart (415-947-4119 or stewart.kathleen@epa.gov) or your EPA grant project officer. You may also contact Kathleen Stewart to sign up to receive emails relating to children's environmental health, including information on upcoming children's health related grant opportunities, such as those below from the U.S. Department of Housing and Urban Development (applications due June 9, 2011):

Lead-Based Paint Hazard Control Grant Program:

<http://www.grants.gov/search/search.do;jsessionid=V6nQNfxY2gpgBc5wyCX22qTTBgvpHKdbHIMIV5LIJ3Qr2hVTlsgv%21-1807531831?oppId=86547&mode=VIEW>

Lead Hazard Reduction Demonstration Grant Program:

<http://www.grants.gov/search/search.do;jsessionid=V6nQNfxY2gpgBc5wyCX22qTTBgvpHKdbHIMIV5LIJ3Qr2hVTlsgv%21-1807531831?oppId=86553&mode=VIEW>

Healthy Homes Production Program:

<http://www.grants.gov/search/search.do;jsessionid=V6nQNfxY2gpgBc5wyCX22qTTBgvpHKdbHIMIV5LIJ3Qr2hVTlsgv%21-1807531831?oppId=86573&mode=VIEW>

Asthma Interventions in Public and Assisted Multifamily Housing:

<http://www.grants.gov/search/search.do;jsessionid=V6nQNfxY2gpgBc5wyCX22qTTBgvpHKdbHIMIV5LIJ3Qr2hVTlsgv%21-1807531831?oppId=86634&mode=VIEW>

More information on children's health protection:

<http://yosemite.epa.gov/ochp/ochpweb.nsf/content/homepage.htm> and [Tips to Protect Children from Environmental Risks](http://www.epa.gov/region9/tribal/news-features/news10/tribal-childhealth-oct2010.pdf) and <http://www.epa.gov/region9/tribal/news-features/news10/tribal-childhealth-oct2010.pdf>.

2. Asbestos in Schools

Reducing Asbestos-in-School Hazards: The Asbestos Hazard Emergency Response Act (AHERA) requires public and private non-profit primary and secondary schools (grades K-12) to inspect their buildings for asbestos-containing building materials and prepare management plans to prevent or reduce asbestos hazards. Federal facilities (including schools owned and/or operated by US Interior Department's Bureau of Indian Affairs and Bureau of Indian Education) are also required to comply with AHERA's requirements. Nationally, EPA places strong emphasis on ensuring compliance with applicable AHERA requirements by BIA/BIE schools; conducting compliance inspections at BIA/BIE facilities and providing compliance assistance to school facility managers are two means used by EPA to ensure compliance with AHERA's requirements. Information on protecting students and school staff from asbestos hazards can be found in: <http://www.epa.gov/compliance/resources/newsletters/civil/enfalert/aheraalert0721.pdf>

For more information about the requirements is available at:

http://www.epa.gov/asbestos/pubs/asbestos_in_schools.html and

<http://www.epa.gov/region02/ahera/>. Contact: Ron Tsuchiya, EPA Region IX AHERA Coordinator, tsuchiya.ron@epa.gov or 415-947-4168.

Air Division

1. Clean Air Act Funding for FY 12

Proposals for FY 12 Clean Air Act (CAA) funding were due January 2011 and are currently being reviewed. Tribes will be notified of their funding status in summer 2011 or when we have a final FY 11 budget.

2. SO₂ Designations

In June 2010, EPA added a new primary (health-based) 1-hour daily maximum standard for sulfur dioxide (SO₂). The new standard of 75 parts per billion (ppb) is attained when the 3-year average of the 99th percentile of 1-hour daily maximum concentrations does not exceed 75 ppb. No changes were made to the existing 3-hour secondary standard.

In late March 2011, Region 9 sent letters to tribal leaders and state governors to begin the designation process for SO₂. EPA is only designating for the new, 1-hour 75 ppb SO₂ standard. EPA encourages interested tribes to submit a designation recommendation for consideration in

this process. Recommendations are due June 3, 2011. EPA will announce intended designations no later than February 3, 2012. Final designations are expected by June 3, 2012.

3. NO₂ Designations

In January 2010, EPA added a new primary (health-based) 1-hour daily maximum standard for NO₂. The new standard of 100 parts per billion (ppb), is attained when the 3-year average of the 98th percentile of 1-hour daily maximum concentrations does not exceed 100 ppb. No changes were made to the existing annual NO₂ standard.

Region 9 sent letters requesting recommendations from states and tribes in November 2010; we received recommendations in February 2011 from 6 tribes in Nevada and California. Due to insufficient monitoring data, EPA anticipates designating most tribal and state lands as “unclassifiable”. EPA will finalize initial designations in 2012, and may redesignate after 2015 as monitoring data becomes available.

4. Pinal County Designation/Redesignation

In January 2011, EPA designated western central Pinal County as nonattainment for the 2006 24-hour PM_{2.5} standard. Designations for Gila River and Ak-Chin have been deferred pending consultation. Tohono O’odham, San Carlos Apache, Salt River Pima Maricopa, and Fort McDowell were designated unclassifiable/attainment.

EPA has also proposed to redesignate a portion of Pinal County as non-attainment for PM₁₀. Consultation with potentially affected tribes is ongoing. EPA is currently evaluating comment received on its PM₁₀ redesignation proposal, and plans to take final action by summer 2011.

5. Tribal New Source Review Rule

EPA is preparing to finalize Tribal New Source Review Rules (NSR) rules in summer 2011. These rules were proposed in 2006 and will apply to minor sources of air pollution on tribal lands. Once the rules are finalized, EPA will be doing outreach and education through ITEP trainings and webinars. Region 9 will be presenting and conducting training sessions at upcoming RTOCs and at the Annual Tribal Conference.

6. Community Scale Air Toxics Grant Opportunity

On March 23, 2011, EPA announced that grant funds were available for community scale air toxics work. Eligible activities include: identifying and profiling air toxics sources, assessing emerging measurement methods, characterizing the degree and extent of local air toxics problems, and tracking progress of air toxics reduction activities. Applicants must be an air pollution control agency or federally recognized tribe. Applications are due May 23, 2011. <http://www.epa.gov/air/grants/rfp-epa-oar-oaqps-11-05.pdf>.

7. Navajo Best Available Retrofit Technology (BART) Federal Implementation Plans (FIPs)

EPA promulgates Federal Implementation Plans (FIPs) in tribal jurisdictions as necessary to protect air quality. BART provisions of the Regional Haze Rule require reductions in emissions

of air pollutants that impact visibility. There are two Regional Haze BART-eligible sources on the Navajo Nation: the Navajo Generating Station (NGS) and Four Corners Power Plant (FCPP).

In August 2009 EPA issued the Advanced Notice of Proposed Rulemaking (ANPRM) to seek public input on two factors for NGS and FCPP - cost effectiveness and visibility benefits. The FCPP rulemaking was proposed October 6, 2010. In February, EPA published a Supplemental Proposal in the Federal Register which provides our analysis of an alternative-to-BART proposed by Arizona Public Service. Public hearings on this proposal were held in late March 2010. The public comment period has been extended until May 2, 2011.

<http://www.epa.gov/region9/air/navajo/index.html#proposed>.

8. Upcoming Institute for Tribal Environmental Professionals (ITEP) Training

- May 17-20: Emissions Inventory/TEISS—Las Vegas, NV
- May 24-27: Air Monitoring Data Management—Phoenix, AZ
- June 14-16: National Tribal Forum on Air Quality—Spokane, WA

http://www4.nau.edu/itep/air/training_aq.asp

Waste Management Division

TWO TRAINING OPPORTUNITIES: Waste Characterization and Pay-As-You-Throw - May 17th and 18th - Hosted by the Reno-Sparks Indian Colony

1. Waste Characterization Training

On May 17, 2011 the Reno-Sparks Indian Colony will be hosting a **Waste Characterization Training**. An EPA contractor will lead participants through both classroom and field activities to plan an effective solid waste characterization effort. This type of waste characterization is a critical step in developing a comprehensive Solid Waste Management Plan. As importantly, participants will discuss how to collect meaningful and useful data to make decisions and take action. Space is limited and available on a "first come, first serve" basis. Please note that anyone who participates is **required** to provide and wear their own steel-toed boots, safety vest, hard hat, and safety glasses for the training.

Where: Reno-Sparks Indian Colony

Date: Tuesday, May 17, 2011

For those looking for more information on waste characterization CALRECYCLE has a useful page: <http://www.calrecycle.ca.gov/wastechar/>

2. Pay-As-You-Throw Training

On May 18, 2011 the Econservation Institute will be presenting a **Pay-As-You-Throw (PAYT) Training** at the Reno-Sparks Indian Colony. PAYT can be one of your most effective, cost-effective & flexible methods of increasing recycling and reducing Greenhouse Gas (GHG).

PAYT is not just practical in the landfill-costly East coast or in the "green" West Coast, but in all kinds of areas, even the desert/mountain west. There are PAYT lessons for urban, suburban, rural, and remote areas with all types of collection systems. Experts will discuss PAYT; how it works; impacts; key methods to implement PAYT; and strategies to address political, hauler, and other barriers. Learn about can, bag, sticker, and other options; the pros and cons of PAYT; and the power of the PAYT incentive.

Where: Reno-Sparks Indian Colony

Date: Wednesday, May 18, 2011

If you would like to take advantage of one, or both, of these training opportunities, please contact Nancy Sockabasin @ 415-972-3772 or sockabasin.nancy@epa.gov.

3. Web Features Wanted!

What: We are looking for success stories to feature on our website. If you have any solid or hazardous waste project that you would like EPA to highlight, please contact us. Topic ideas for stories include: Greening your event, casino, or housing; managing a dumpsite after cleanup; or any other recycling, composting, or cleanup programs.

Why: Get the word out about your great project!

Where: <http://www.epa.gov/region09/waste/tribal/success.html>

Contact: Charles Swanson (415) 947-4219 or swanson.charles@epa.gov

Water Division

Tribal Ecosystem Services Research Program (ESRP) Workshop

Connecting Ecosystem Services to USEPA Programs and Objectives, by Focusing on Ecological Functions.

Upcoming Workshop Description:

USEPA Office of Research and Development (ORD) announces an Ecosystem Services Workshop for Tribes. This workshop is for Tribes who are interested in working with ORD as co-scientist, or interested in technical assistance in the area of ecosystem function, ecosystem services, sustainability, climate change adaptation, landscape ecology, and how all this relates to wildlife and aquatic ecology.

To register, or to find out more information contact

Robert Hall, USEPA Region 9, hall.robertk@epa.gov, (415) 947-4123, or John Lin, USEPA ORD, lin.john@epa.gov, (702) 798-2171.

Hosted by: Santa Ynez Band of Chumash Indians, USEPA Office of Research & Development and USEPA Region 9

This Workshop is FREE to all Tribes and Tribal members

When?

Tuesday May 24, 2011 to Thursday May 26, 2011
Workshop runs from 8am to 5:00pm

Where?

**Hotel Corque
400 Alisal Rd,
Solvang, CA 93464**

Field Sites: Santa Ynez River Wetland (lentic) area, and Zanja de Cota Creek (lotic), on the Sanata Ynez Reservation.

*****Note: Please dress appropriately for field sites (sneakers, hats, comfortable clothing)*****