



# Land Preservation and Restoration

## July 21-22, 2009

National Tribal Caucus Discussions with  
Mathy Stanislaus, Asst. Administrator  
USEPA Office of Solid Waste  
and Emergency Response



# Goals

- ❖ Preserve and restore the land by using innovative waste management practices, developing Tribal emergency response capabilities, and cleaning up contaminated properties to reduce risks posed by releases of harmful substances.



# Environmental Priorities

- ❖ Provide increase funding for developing Integrated Solid Waste Management Plans (ISWMP) and implementing of the IWMPs for Tribes and ANVs.
- ❖ Provide baseline funding to meet Tribal solid waste needs.
- ❖ Develop implementation funding for Tribal Emergency Response Programs.
- ❖ Track the Superfund/NPL sites that potentially or directly impact Tribal Nations/ANVs and enforce remediation as required.
- ❖ Maintain Tribal Brownfields funding.



# Budget Recommendations

- ❖ Provide for Solid Waste Management (RCRA) 25 million.
- ❖ Provide for Tribal Open Dump Clean Up Fund 6 million.
- ❖ Provide for Hazardous Waste Management (RCRA) 15 million.
- ❖ Provide for Emergency Planning (CEPPO) 4 million.
- ❖ Provide for Underground Storage Tanks (UST) 6 million.
- ❖ Provide for Leaking UST (LUST) Remediation Trust Fund 15 million.
- ❖ Provide for Spill Prevention 5 million
- ❖ Provide for Superfund (CERCLA) 4 million, Superfund Cooperative Agreements 5 million Superfund Core Program 10 million and Superfund Clean-up and Removal/Remediation 5 million.
- ❖ Provide for completing Brownfields projects 7 million



# Programmatic Constraints

- ❖ Tribes and ANVs do not have the tax base to fund solid waste management programs – thus they need EPA financial assistance.
- ❖ Inability to achieve compliance due to lack of Tribal enforcement mechanisms and manpower.
- ❖ Non tribal or non ANV members using Tribal lands for illegal disposal of solid and hazardous wastes.
- ❖ The lack of funds for Solid Waste Management implementation.
- ❖ Tribes can not be treated in the same manner as States for purposes of implementing Subtitle D of RCRA.



## Suggested Remedies

- ❖ Permit and increase use of OSWER funds for solid waste program implementation.
- ❖ Increase funding levels to Tribes and ANVs for open dump cleanup.
- ❖ Cleanup of Superfund sites on Tribal lands.
- ❖ Provide tribes with the resources to address hazardous incidents on or near Indian Country.
- ❖ Seek permanent authorization of Direct Implementation Tribal Cooperative Agreements (DITCAs) and establish a set-aside fund for DITCAs.
- ❖ Support amending RCRA to treat Tribes as States.



# Cross Media Issues

- ❖ Protection and preservation of Tribal cultural resources
- ❖ Climate Change
- ❖ Air Quality
- ❖ Water Quality
- ❖ Emergency Response
- ❖ Enforcement/Compliance Assistance – Tribal Program development, DITCAs
- ❖ Information Sharing – OEI
- ❖ Environmental Justice Issues – Brownfield potential around Tribal land