

***THE ENVIRONMENTAL PROTECTION
AGENCY-WIDE PLAN TO PROVIDE
SOLID WASTE MANAGEMENT
CAPACITY ASSISTANCE TO TRIBES***

**US EPA Region 9 - Regional Tribal Operations
Committee**



August 29-30, 2012

Outline

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- Purpose
- Background
- Office of Inspector General (OIG)
Findings, Conclusions and
Recommendations
- Draft Agency-Wide Plan

Overview

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- Describe the OIG Final Report
- Provide an Overview of what is included in the draft Agency-Wide Plan (AWP)
- Obtain Your Feedback

Background

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- The OIG is an independent office within EPA.
- The OIG performs audits, evaluations, and investigations of EPA programs.
- The OIG Report focused on EPA's tribal waste management assistance efforts.



Background

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- OIG interviewed the following EPA offices in the evaluation:
 - ▣ Office of Solid Waste and Emergency Response
 - ▣ American Indian Environmental Office
 - ▣ Office of Enforcement and Compliance Assurance
 - ▣ Regions 5, 8, and 9.
- OIG also interviewed tribes from within these Regions.

Background

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- The OIG Final Report was released on March 21, 2011.
 - The scope of OIG's evaluation, report and recommendations was fairly narrow, and generally restricted to internal EPA issues.
 - The draft AWP is based on those recommendations, and thus is narrow in scope.

OIG Findings and Conclusions

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□ Findings

EPA has:

- 1) No comprehensive plan
- 2) Ineffective performance measures
- 3) No internal data controls

□ Conclusions

EPA cannot:

- 1) Ensure consistent assistance to tribes
- 2) Prioritize open dumps based on risk
- 3) Determine if its efforts are effective

OIG Recommendations

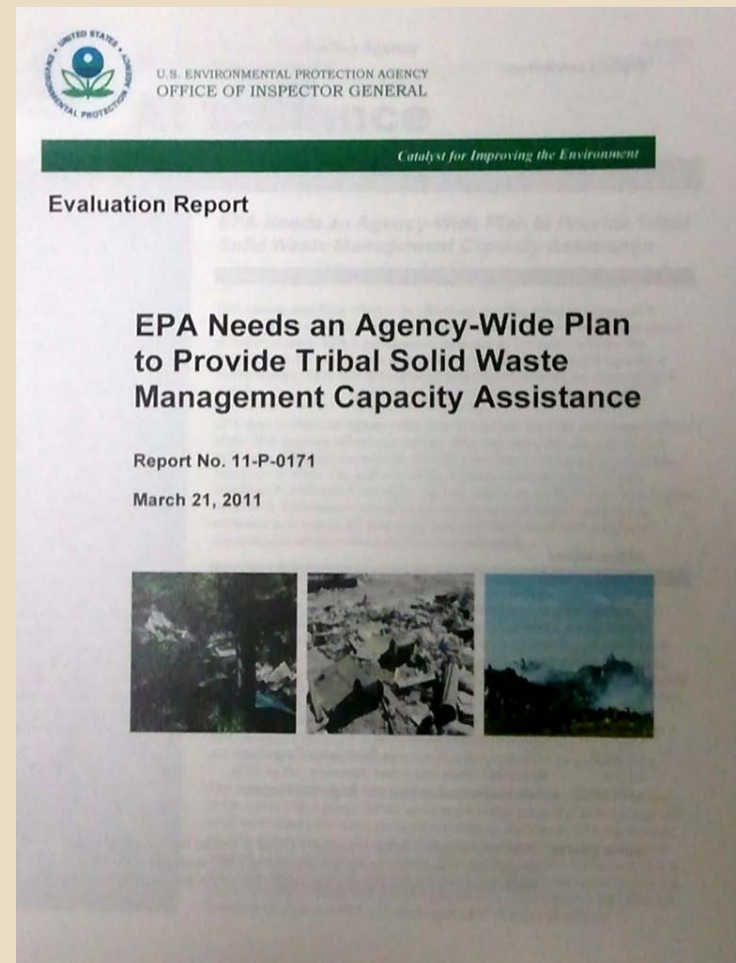
EPA should develop an Agency-Wide Plan that:

- 1) Describes EPA roles & responsibilities
- 2) Identifies the resources required and their sources
- 3) Includes performance measures
- 4) Establishes internal controls for consistent data collection
- 5) Improves coordination between HQ & Regions
- 6) Specifies a timeline for accomplishments

Agency-Wide Plan

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- EPA agreed with all of the OIG recommendations.
- The draft AWP addresses internal EPA functions and issues.



Agency-Wide Plan:

Recommendation 1 - EPA Roles and Responsibilities

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- EPA describes the roles and responsibilities of EPA offices which have tribal waste management programs.
- This exercise makes the connections between the EPA offices more clear.
- This will enable us to work more effectively together, as well as provide clear direction on EPA authority.

Agency-Wide Plan:

Recommendation 2 - Identify EPA Resources

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- EPA assessed the current internal resources (including staff and funding) for tribal solid waste assistance activities.



Agency-Wide Plan:

Recommendation 3 - Performance Measures

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- The OIG Report recommends that EPA establish performance measures that:
 - ▣ Track whether our assistance to tribes “is consistent and effective in developing tribal solid waste management capacity and reducing risks from open dumps in Indian country.”



Agency-Wide Plan:

Recommendation 3 - Performance Measures

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- EPA has two tribal solid waste performance measures:
 - Number of tribes with approved integrated waste management plans (IWMPs).
 - Number of open dumps closed, cleaned up, or upgraded.

Agency-Wide Plan:

Recommendation 3 - Performance Measures

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- Potential new performance measures to replace or supplement current measures.
 - Waste generated in Indian country and other tribal areas is reused or recycled, or is disposed of in regulated facilities.
 - Number of tribes that have adopted and implemented solid waste codes, ordinances, or regulations.
 - Number of tribes receiving EPA assistance in the development and implementation of sustainable tribal waste management programs.
 - Modify the existing Agency-Wide tribal program strategic performance measures maintained by OITA to incorporate solid waste management.

Agency-Wide Plan: Recommendation 4 - Internal Controls for Consistent Data Collection

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- Integrated Waste Management Plans Internal Controls:
 - Internal Tracking
 - *Five Elements of a Tribal Integrated Waste Management Plan memo*



Agency-Wide Plan: Recommendation 4 - Internal Controls for Consistent Data Collection

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- Other internal controls:
 - We are examining all of the products we have published on solid waste management topics
 - EPA's Tribal Waste Management Website (www.epa.gov/tribalmsw) is currently in the process of being updated.



Agency-Wide Plan: Other Outreach Efforts

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- Webinars
 - ▣ Internal EPA Training Webinars
 - ▣ Tribal Waste Webinar Series

- Institute for Tribal Environmental Professionals (ITEP)



National Peer Matching Program

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- EPA is developing a nationwide tribal peer match program focused on solid waste issues.



Agency-Wide Plan: Recommendation 5 - Improved Coordination Between HQ & Regions

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- The OIG Report recommended that EPA establish a process to ensure coordination between EPA program offices (HQ) and the Regions.



Agency-Wide Plan: Recommendation 5 - Improved Coordination Between HQ & Regions

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- OSWER/ORCR works closely with the Regional Solid Waste Coordinators:
 - Several existing monthly conference calls between staff in HQ offices and the Regions;
 - Informal contact between staff in HQ and the Regions;
 - Regular conference calls and meetings between HQ and Regional management; and
 - Looking for additional ways to improve our coordination and communication.

Agency-Wide Plan: Recommendation 5 - Improved Coordination Between HQ & Regions

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- Both EPA HQ and the Regions coordinate with AIEO, Brownfields, Pollution Prevention (P2), Superfund, Air, Water, and Enforcement and Compliance Assistance.
- EPA also collaborates with other federal agencies such as IHS, BIA, USDA, DoD and HUD.

Agency-Wide Plan:

Recommendation 6 - Timeline

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- EPA expects to release the final AWP in early 2013.

- Some action items may be completed after the AWP is final, such as:
 - ▣ Performance measures; and
 - ▣ Information resources.

Summary

- EPA is focusing on a variety of activities intended to promote sustainable tribal waste management programs through the development and implementation of IWMPs.
 - Provide support to tribes' waste management activities by funding the development and implementation of IWMPs.
 - Provide training, outreach (e.g., webinars, website), and technical assistance to support tribes in the development and implementation of IWMPs.
 - Coordinate a national peer matching program that connects participating tribes with successful IWMPs with tribes that need assistance; and
 - Coordinate internal EPA activities to ensure strategic focus on the promotion of sustainable tribal waste management programs through IWMPs.

Summary

- Open Dump Cleanup Assistance Criteria
 - ▣ In limited circumstances, EPA may consider funding to assist cleanups or closures of open dumps when the tribe is substantially pursuing tangible elements towards building a sustainable waste management program.

Summary

- Criteria to receive open dump cleanup funding assistance:
 - Conducting a characterization study of the waste streams a tribe generates and an assessment of current waste management practices.
 - Conducting solid waste facility planning and feasibility studies.
 - Developing an IWMP that is approved by the tribe's governing body.
 - Developing waste management codes and ordinances.
 - Developing and implementing a waste enforcement program and/or other mechanisms to prevent illegal dumping.
 - Conducting community outreach and/or environmental education on waste management programs.

Consultation and Coordination

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- 60 day consultation and coordination is expected to extend from July 23, 2012 to September 24, 2012.



Consultation and Coordination

- ❑ Official comments need to come from the tribal governing official.
- ❑ These comments may be in the form of a letter, email or fax, and must be received by the consultation period deadline.
- ❑ These official comments may include a request for a meeting or conference call. The regional office may conduct such meetings.
- ❑ Comments from the tribal environmental director, for example, will be considered coordination.

Consultation and Coordination

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- EPA will complete a response to comment document along with the final AWP. All official comments will be addressed.
- ORCR is holding a national conference call and a webinar during the consultation period.

Questions and Feedback

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Contact Information

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