

## **EPA Report**

### **February 7-9 RTOC**

#### **Air Division**

##### **1. Ozone National Ambient Air Quality Standard (NAAQS)**

The reconsideration of the 2008 ozone standard was returned to EPA in September 2011. The current (2008) 0.075 ppm standard is still in effect, and EPA HQ has fast-tracked the designations process to implement the standard as required under the CAA.

In September, Region 9 sent an email to Tribal Environmental Directors to notify them about this development. For the majority of Region 9 tribes, this action will not change their current attainment or nonattainment status for ozone. In late October and early December, Region 9 sent letters offering consultation and providing preliminary designations information to all tribes located in areas that may be nonattainment for the standard.

EPA also published the preliminary designations information in the Federal Register and the public comment period on the ozone designations has been extended until February 3, 2012. Tribes may also provide information directly to Region 9 by February 29, 2012. EPA must complete the designation process this spring. Region 9 Contact: Maeve Foley, [foley.maeve@epa.gov](mailto:foley.maeve@epa.gov), 415-947-4105.

Tribal Ozone Designation Webpage:

<http://www.epa.gov/ozonedesignations/2008standards/rec/tribalR.htm>

Website for submitting public comments on the ozone

designation: <http://www.regulations.gov/#!submitComment;D=EPA-HQ-OAR-2008-0476-0253>

##### **2. Tribal Air Quality Designations Policy for National Ambient Air Quality Standards (NAAQS)**

EPA recently finalized two tribal air quality designation memos. They are "Guidance to Regions for Working with Tribes during the NAAQS Designations Process," which outlines how EPA should work with tribes during the National Ambient Air Quality Standard designation process for Indian country, and "Policy for Establishing Separate Air Quality Designations for Areas of Indian country" which is a resource for tribes that would like to request a separate designation from a surrounding attainment or nonattainment area.

HQ Contact: Laura McKelvey of OAQPS, [mckelvey.laura@epa.gov](mailto:mckelvey.laura@epa.gov).

Both memos can be found here: <http://www.epa.gov/air/tribal/airprogs.html#policy>.

### **3. Tribal New Source Review (NSR) Rule**

The Tribal NSR Rule was published as final on July 1, 2011 and became effective on August 30, 2011. The Tribal NSR rule creates pre construction air permitting programs for new minor sources and modifications in Indian country, and for new major sources and modifications in Indian country in nonattainment areas. EPA will continue to regulate major sources and modifications on Tribal Land in attainment areas under the Prevention of Significant Deterioration (PSD) Program.

Although the rule became effective on August 30, 2011, it has phased implementation dates: new true minor sources will have 36 months (until September 2, 2014) before having to obtain pre-construction permits; existing true minor sources will not be subject to the requirements of the minor NSR program until they propose a modification. Existing true minor sources will, however, be required to register within 18 months (up to March 1, 2013). New and modified major sources are required to obtain pre-construction permits.

If you have questions about facilities on your reservation that may need permits, please contact Geoffery Glass, Air Permits Office, [glass.geoffrey@epa.gov](mailto:glass.geoffrey@epa.gov), 415-972-3498.

### **4. Upcoming Institute for Tribal Environmental Professionals (ITEP) Training**

- Feb 14-17 **New Source Review Minneapolis MN**
- Feb 14-17 **Treatment As State (TAS) and Tribal Implementation Plan (TIP) Postponed**
- Mar 5-9 **Air Quality Computations Flagstaff, AZ**
- Apr 2-6 **Air Pollution Technology Las Vegas, NV**
- Apr 24-27 **Weatherization and Indoor Air Quality Oneida, WI**
- Apr 24-27 **Emissions Inventory/TEISS Las Vegas, NV**
- June 5-8 **Air Monitoring Data Management Las Vegas, NV**
- TBD **Tribal Data Tool Box online**

[http://www4.nau.edu/itep/air/training\\_aq.asp](http://www4.nau.edu/itep/air/training_aq.asp)

## **Communities and Ecosystems Division**

### **Tribal Program Office**

#### **1. General Assistance Program**

The FY 12 national allocation is \$67,631,000, slightly down from last year's \$67,739,000. We are awaiting the Region 9 allocation.

#### **2. Tribal Program Office Manager**

Due to budget issues, EPA cannot hire externally. EPA will fill the position within the Region and interviews have started.

### **3. Guide Book**

Guide book comments were due on January 30, 2012. We anticipate any revised guidance will be reflected in the GAP announcement in the Fall.

### **4. Consultation**

The RTOC Consultation work group will convene shortly and begin discussions on how the national policy matches up with EPA Region 9 approach and recommend appropriate next steps.

### **5. Energy Projects Review**

As a reminder to Environmental Directors, please look out for the monthly emails from your GAP Project Officers regarding renewable energy projects whose comment period is open. A current listing can be found at: <http://www.epa.gov/region9/climatechange/tribes/federal-land.html>. Such reminders are also being sent out for projects to specific Tribes of interest within areas of the project directly from EPA Region 9's Environmental Review Office via email or postal mail to Environmental Directors and Chairpersons.

## **Water Division**

### **1. Tribal Source Water Assessment and Protection (SWAP) Program**

EPA Region 9 intends to award over \$290,000 through Direct Implementation Tribal Cooperative Agreements (DITCAs) ranging in size from approximately \$25,000 to \$85,000 for SWAP activities. The purpose of the funding will enable federally recognized tribes and eligible tribal consortia within EPA Region 9, who operate at least one public water system (PWS), to identify and assess any possible threats (potential sources of contamination) to their public drinking water supply sources and to develop measures to protect these sources against those threats. Region 9 has been accepting proposals according to the following proposal submission schedule: Proposals received by March 1, 2012 will be awarded by August 15, 2012. Please contact: Jamelya Curtis at (415) 972-3529 or [curtis.jamelya@epa.gov](mailto:curtis.jamelya@epa.gov) for hard copies or more information. <http://www.epa.gov/region9/water/tribal/pdf/FY11Guidance.pdf>

### **2. Wetlands Program Development Grant**

The FY 2012 Wetland Program Development Grants Request for Proposals for Region 9 will likely be issued in late January or in February.

These grants fund the development and refinement of wetland protection programs.

Proposals will likely be due 45 days after its posting.

We anticipate having approximately \$1,600,000 available for wetland grants this year.

Emails will be sent out with the RFP announcement.

The announcement will also be posted on grants.gov.

You can sign up for notification of grants.gov announcements at:

[http://www.grants.gov/applicants/email\\_subscription.jsp](http://www.grants.gov/applicants/email_subscription.jsp)

### **3. CWA Section 106 FY2012 Funding Availability**

The FY 2012 Region 9 due date to receive CWA 106 funding is February 1, 2012. Please submit a draft, proposed workplan and budget to your CWA Project Officer.

CONTACTS - If you have any questions about the CWA Section 106 program or funding process, please contact your CWA Project Officer, Danielle Angeles at (415) 972-3441 or [angeles.danielle@epa.gov](mailto:angeles.danielle@epa.gov) or Wendell Smith at (415) 972-3421 or [smith.wendell@epa.gov](mailto:smith.wendell@epa.gov)

### **4. Introducing the 2012 Water Programs for Tribes Planner – Will be available in early November**

WANTED: High Quality Photos to be included in the new 2013 Water Programs for Tribes Planner

- High Quality Photos
  - o High Resolution
  - o Clear Images
  
- Types of Photos we need
  - o People in Action
  - o Beautiful Scenery
  - o Completed Projects

Please send all photo submissions to: Christopher Chen – [chen.christopher@epa.gov](mailto:chen.christopher@epa.gov)

### **5. Funding Announcement**

For Tribes eligible to receive Clean Water Act, Section 319: Nonpoint Pollution Control BASE Funding Grants, please submit your Proposed Work Plan and Budget to your CWA Project Officer by **March 1, 2012**. If you have any questions regarding submission requirements or the due date of **March 1, 2012**, please contact your CWA Project Officer or visit our website at: <http://www.epa.gov/region09/water/tribal/tribal-cwa.html#nps>. You may also contact US EPA Region 9, Tribal NPS Co-Lead, Audrey L Johnson at [johnson.audreyL@epa.gov](mailto:johnson.audreyL@epa.gov) to answer any questions.

For more information about the Tribal Nonpoint Source Pollution Program including eligibility requirements, funding information, and useful resources, please review the *Handbook for Developing and Managing Tribal Nonpoint Source Pollution Programs Under Section 319 of*

*the Clean Water Act* available online at:

[http://www.epa.gov/owow/NPS/tribal/pdf/tribal\\_handbook2010.pdf](http://www.epa.gov/owow/NPS/tribal/pdf/tribal_handbook2010.pdf)

## Waste Management Division

### 1. NEW PUBLICATION COMPLETED

**What:** Closing Small Tribal Landfills and Open Dumps, How to Design Environmentally Safe Covers

**Why:** The purpose of this guidance is to help tribal environmental managers and tribal leadership determine an appropriate final cover profile for closing small landfills and open dump sites on tribal lands. This document includes updated information from previous guidance documents for closing small landfills and open dump sites within arid regions. This document also includes design and operation considerations for open dumps, in which case tribes should consider additional environmental safeguards.

**Where:** <http://www.epa.gov/region9/waste/tribal/outreach.html>

### 2. NORTHERN CALIFORNIA RECYCLING ASSOCIATION – RECYCLING UPDATE

**What:** Since 1996, NCRA has been conducting annual conferences that try to bring the best of what's "new and different" to our members and friends. Each speaker has only ten minutes to give their message but there is extensive time given to breaks, lunch and after-event gatherings to share additional information. Existing programs can always be faster, better, or cheaper and NCRA tries to highlight those people who are actually doing the work.

**Why:**

- \* Zero Waste continental breakfast, lunch, and refreshments
- \* Meet, discuss, network with folks in the field
- \* Scholarships available to high school and college students
- \* Volunteer opportunities for free admission

**When:** Tuesday, March 27, 8:30AM - 4:30PM

**Where:** Elihu Harris State Office Building, 1515 Clay Street, Oakland, CA near the 14th Street BART Station

**Contact:** Registration information will soon be available at: <http://ncrarecycles.org/>  
To volunteer for the event contact Laura Mckaughan at [lmckaughan@sfcc.org](mailto:lmckaughan@sfcc.org).

### **3. GREEN CASINO WEBSITE**

A new National Green Casino website is now online:

<http://www.epa.gov/oswer/tribal/casino/index.html>

The website provides information and tools for tribes on the numerous opportunities to promote a variety of environmentally preferable options. Facilities that have modified the way they conduct business have reported a variety of improvements including reduced worker health and safety related issues, increased cost savings, and significant improvements in the overall environment of the resort and/or casino.