Enforcement and Compliance in Indian Country
July 21-22, 2009

National Tribal Caucus Discussions with Cynthia Giles, Asst. Administrator
USEPA Office of Enforcement and Compliance Assurance
Goals

- Improve compliance and enforcement of federal environmental statutes in Indian Country.
- Coordinate compliance and enforcement activities in Indian Country with the appropriate Tribal Governments.
- Expand the use of the Direct Implementation Tribal Cooperative Agreement ("DITCA") authority through dedicated funding.
- Increase the number of tribal staff with federal inspector credentials.
Environmental Priorities

- Aggressively address the national Tribal priorities
  - Drinking water, schools, solid waste (current OECA National Tribal priorities)
  - CWA enforcement, NPDES stormwater, RCRA/UST enforcement and CERCLA Superfund sites.
- Increase and make permanent authorization and allocation for DITCAs
- Increase training opportunities and enhance the use of Tribal federally-credentialed inspectors.
Budget Recommendations

- Compliance, Enforcement & Monitoring (including OECA tribal Priority Drinking water and Water Quality) - $8,000,000.
- DITCAs - $6,000,000
Programmatic Constraints

- Lack of dedicated program funding.
- Limited training opportunities and lack of coordination of available training.
- Regional policy application differences hinder development of tribal inspectors.
Suggested Remedies

- Continue to maintain OECA’s National Indian Country Enforcement and Compliance Assistance Priority.
- Support amending RCRA to treat Tribes as States.
- Support Congressional authorization and allocation for DITCAs.
- Increase training opportunities and improve dissemination of available training information.
- Facilitate regions as they develop federal-credentialed inspectors.
Cross Media Issues

- Enforcement/Compliance Assistance – Tribal Program development
- Tribes cannot be treated in the same manner as States for purposes of implementing Subtitle D of RCRA.
- Information Sharing – OEI