



Enforcement and Compliance in Indian Country

July 21-22, 2009

National Tribal Caucus Discussions with
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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 can not be treated in the same manner as States for purposes of implementing Subtitle D of RCRA.
- ❖ Information Sharing – OEI