



Land Preservation and Restoration

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National Tribal Caucus Discussions with
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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