

Winter RTOC Presentation

Leaking UST Coordination & Mapping

Discussion by

U.S. EPA Region 9

Underground Storage Tanks Program

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Coordinator, Leaking Underground Storage Tanks Cleanups in Indian Country



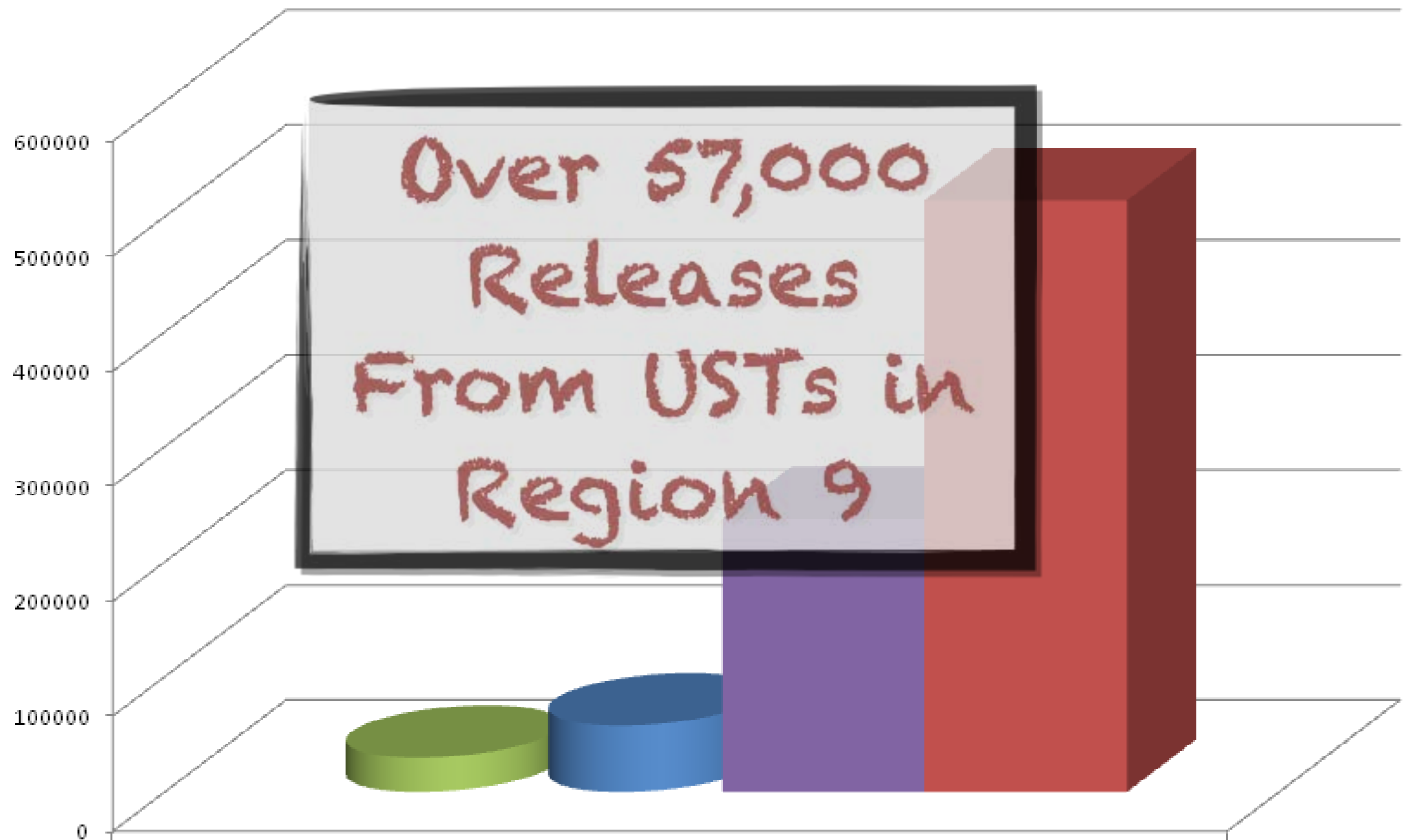
EPA Region 9 in Coordination with the Tribes Oversees the Remediation of Contamination from Leaking Underground Storage Tanks (“LUST”)



Winter RTOC -Issues to discuss

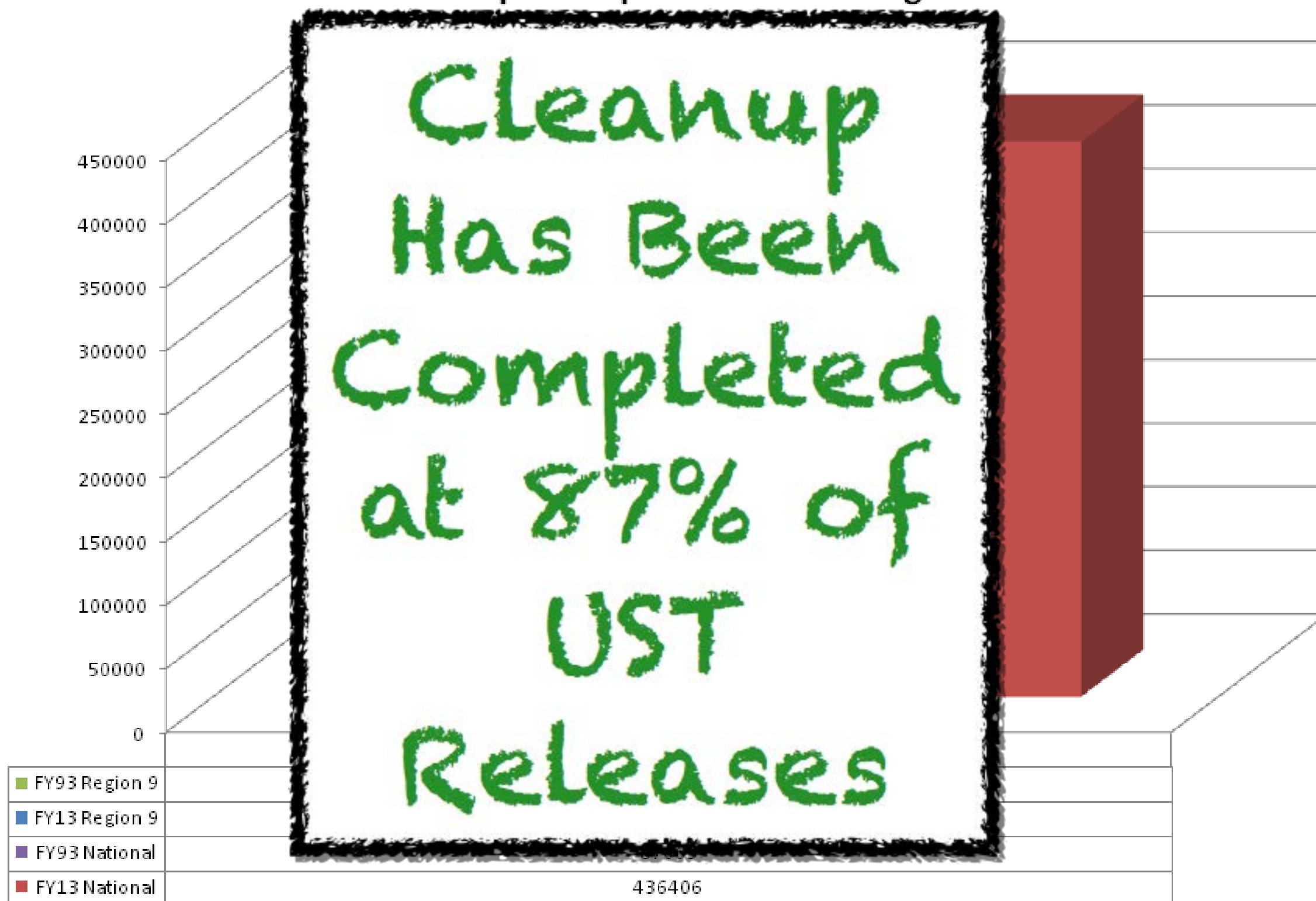
1. Coordination procedures on LUST site remediation/closure
2. Mapping of LUST Sites in Indian Country
3. FOIA requests for tribal UST/LUST data

Cummulative Confirmed Releases 20 Years Ago vs. Current



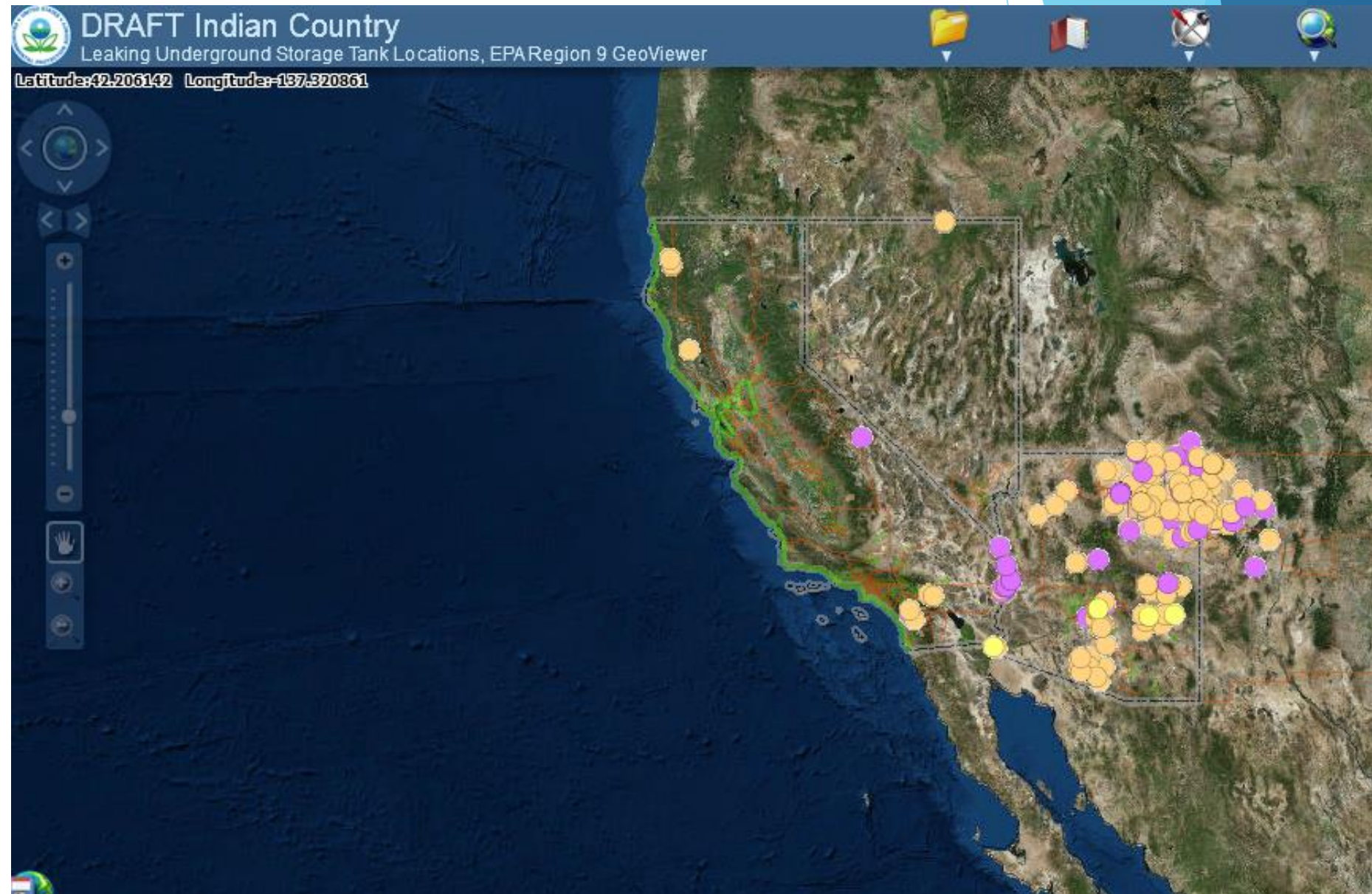
	Confirmed Releases Cumulative
FY93 Region 9	29563
FY13 Region 9	57536
FY93 National	237022
FY13 National	514123

Cumulative Cleanups Completed 20 Years Ago vs. Current



LUSTs in Indian Country, EPA R9

- ▶ Region 9 - LUSTs
 - ▶ 294 Confirmed Releases
 - ▶ 223 Cleanups Initiated
 - ▶ 70 Cleanups Remaining



Issue #1 Coordination on LUST site remediation/closure

- R9's current standard practices

- ▶ Confirmed releases
- ▶ EPA develops recommendations on monitoring and, when necessary, remediation
 - ▶ EPA contacts the Tribal Environmental Director to discuss the site and generate or provide recommendations
 - ▶ EPA drafts & shares written recommendations via email
 - ▶ Requests Tribal input (email is sufficient)
- ▶ Upon receipt of tribal input, EPA issues written directives to UST owner/operator
- ▶ This is an ongoing process while a site is in monitoring or remediation status

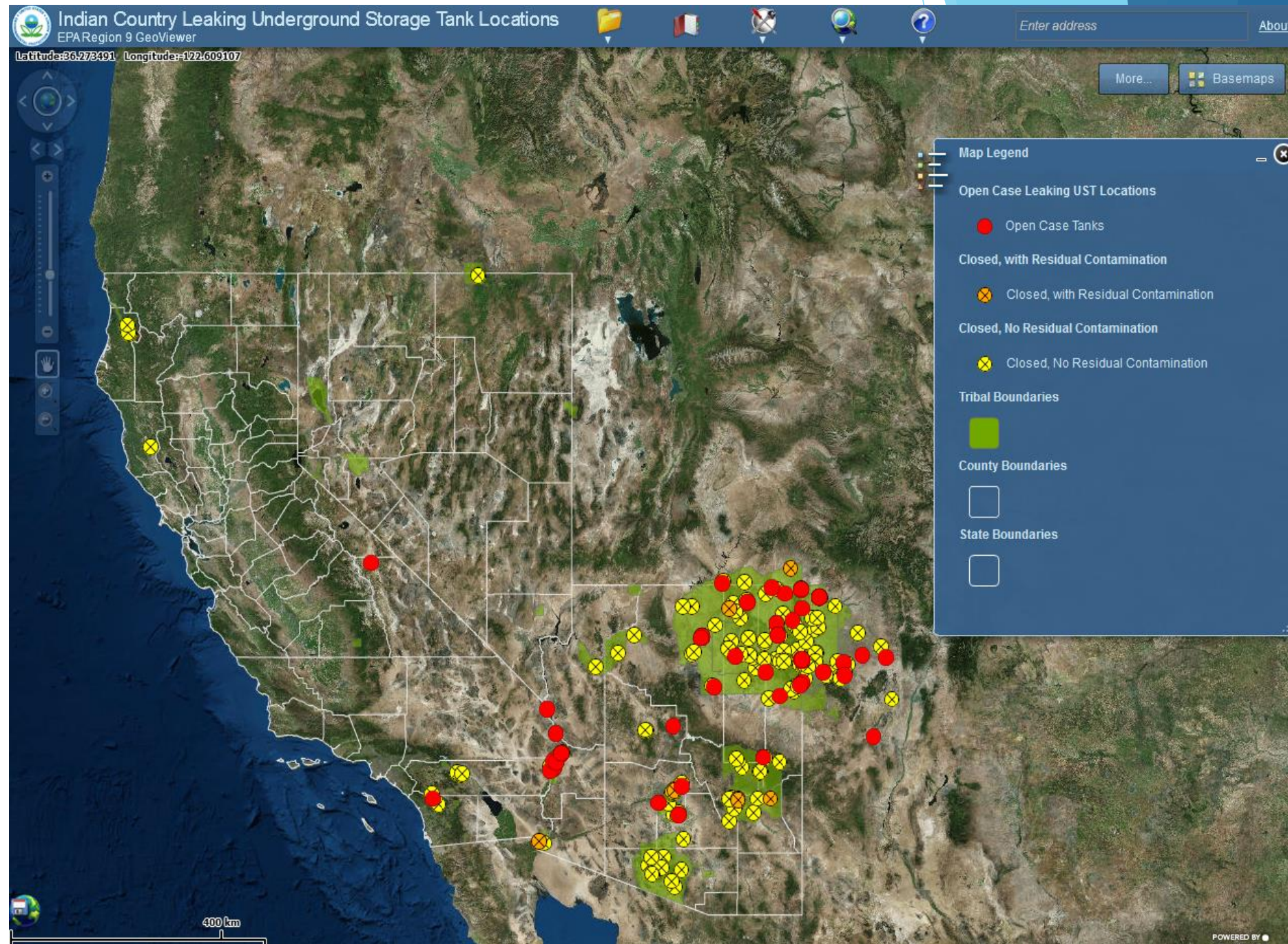
Issue #1 Coordination on LUST site remediation/closure

- R9's current standard practices
- ▶ Once site remediation has achieved cleanup objectives
 - ▶ EPA contacts Tribal Environmental Department to discuss site status and potential No Further Action ("NFA") designation
 - ▶ After discussions and tribal input, EPA issues correspondence, requiring further action or a finding of NFA

Issue #2 Mapping of LUST Sites

▶ Region 9 - LUSTs

- ▶ 294 Confirmed Releases
- ▶ 223 Cleanups Initiated
- ▶ 70 Cleanups Remaining



Issue #2 Mapping of LUST Sites

- ▶ How to provide public record of EPA's official decision re: LUST Site closure?
- ▶ How to track the decisions and documents for 5, 10 or many years from now if/when site is being developed?
- ▶ When was the release?
- ▶ What was released into the environment?
- ▶ Is it still open?
- ▶ When was it closed?
- ▶ Was the site closed without condition?
- ▶ Was the site a conditional Closure?

Issue #2 Mapping of LUST Sites





Indian Country Leaking Underground Storage Tank Locations

EPA Region 9 GeoViewer



Enter address

Latitude: 41.942829 Longitude: -116.121960

More...

Bas

Map Legend

Open Case Leaking UST Locations

 Open Case Tanks

Closed, with Residual Contamination

 Closed, with Residual Contamination

Closed, No Residual Contamination

 Closed, No Residual Contamination

Tribal Boundaries

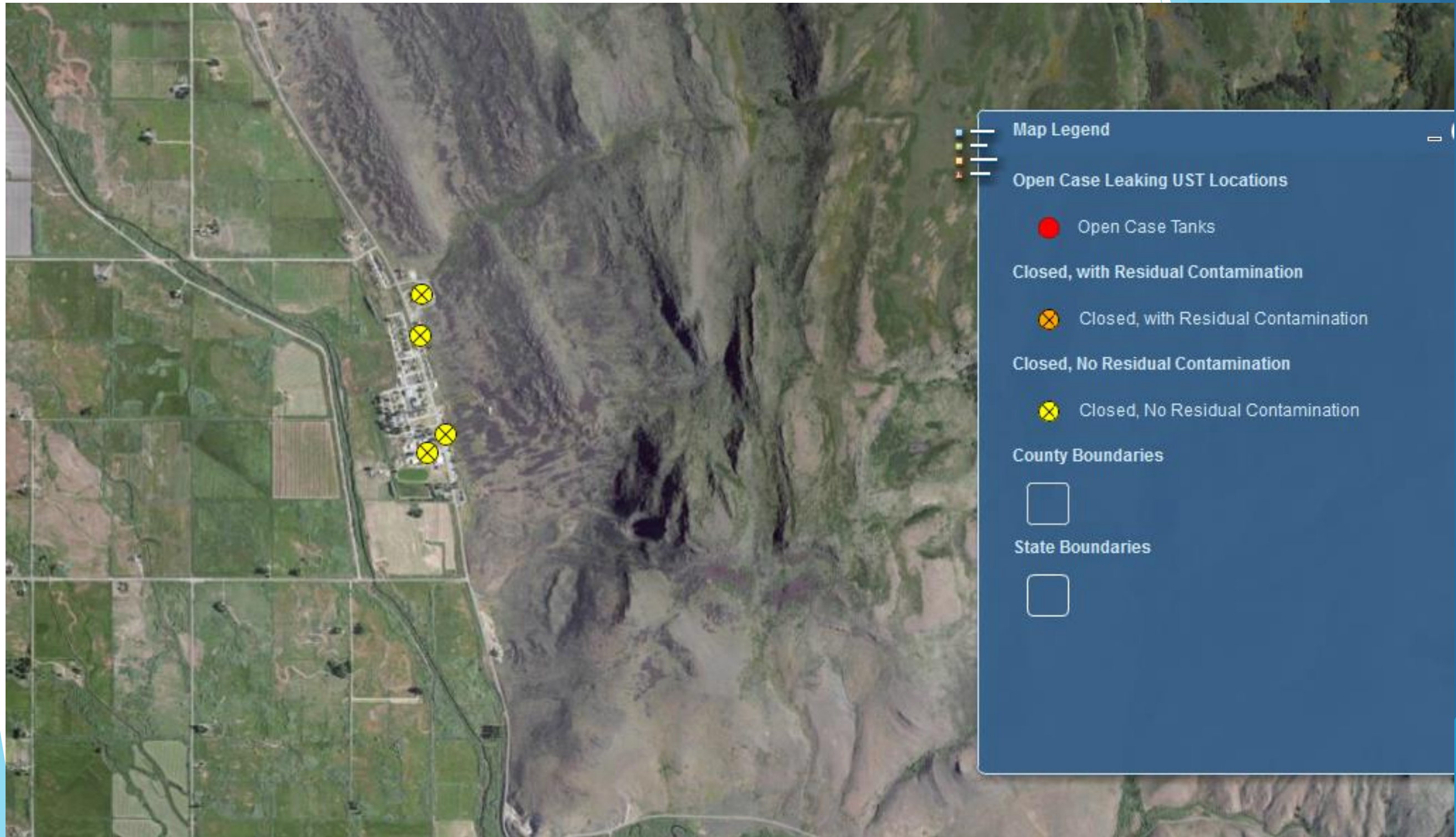


County Boundaries



State Boundaries





Map Legend

Open Case Leaking UST Locations

● Open Case Tanks

Closed, with Residual Contamination

⊗ Closed, with Residual Contamination

Closed, No Residual Contamination

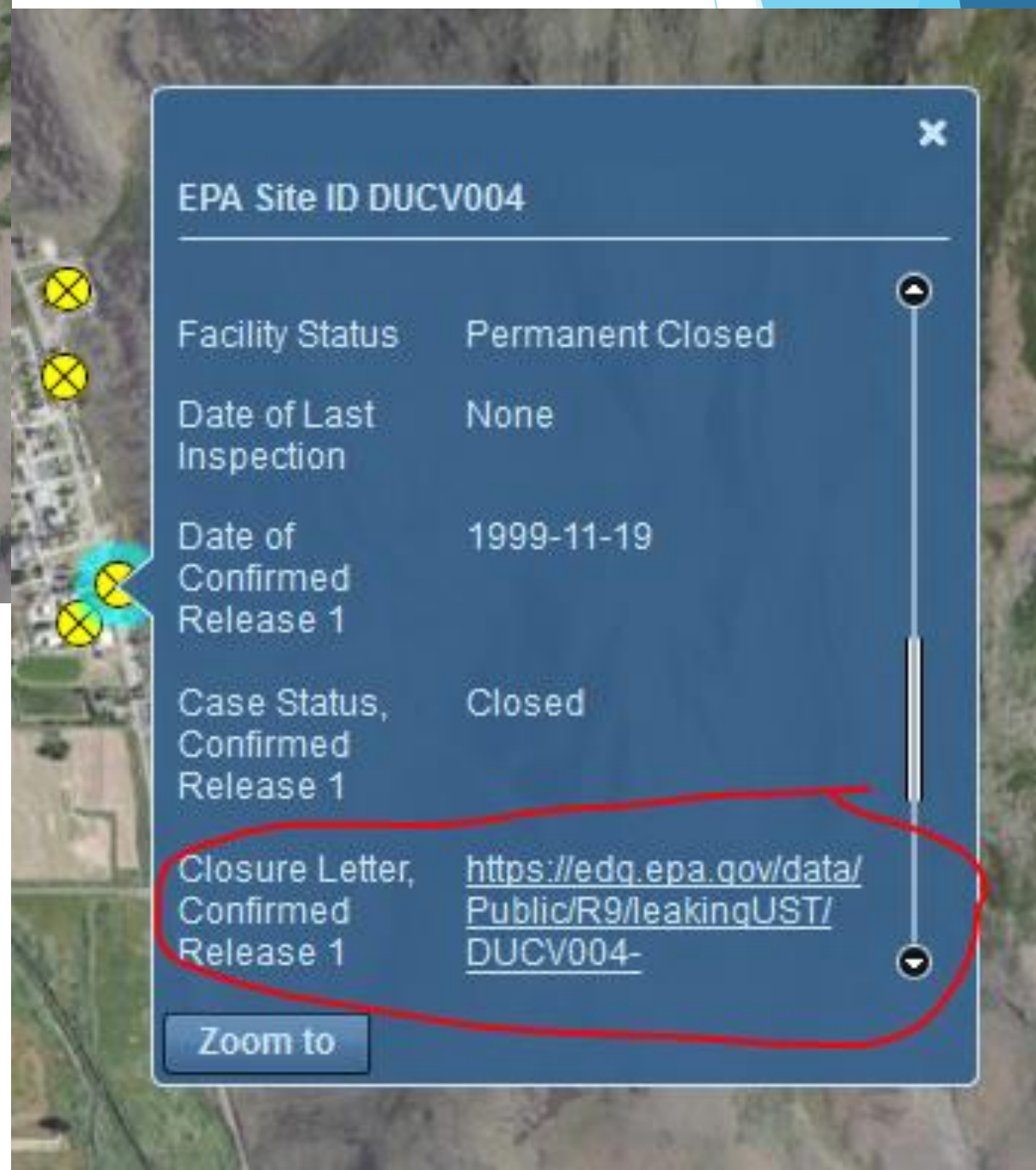
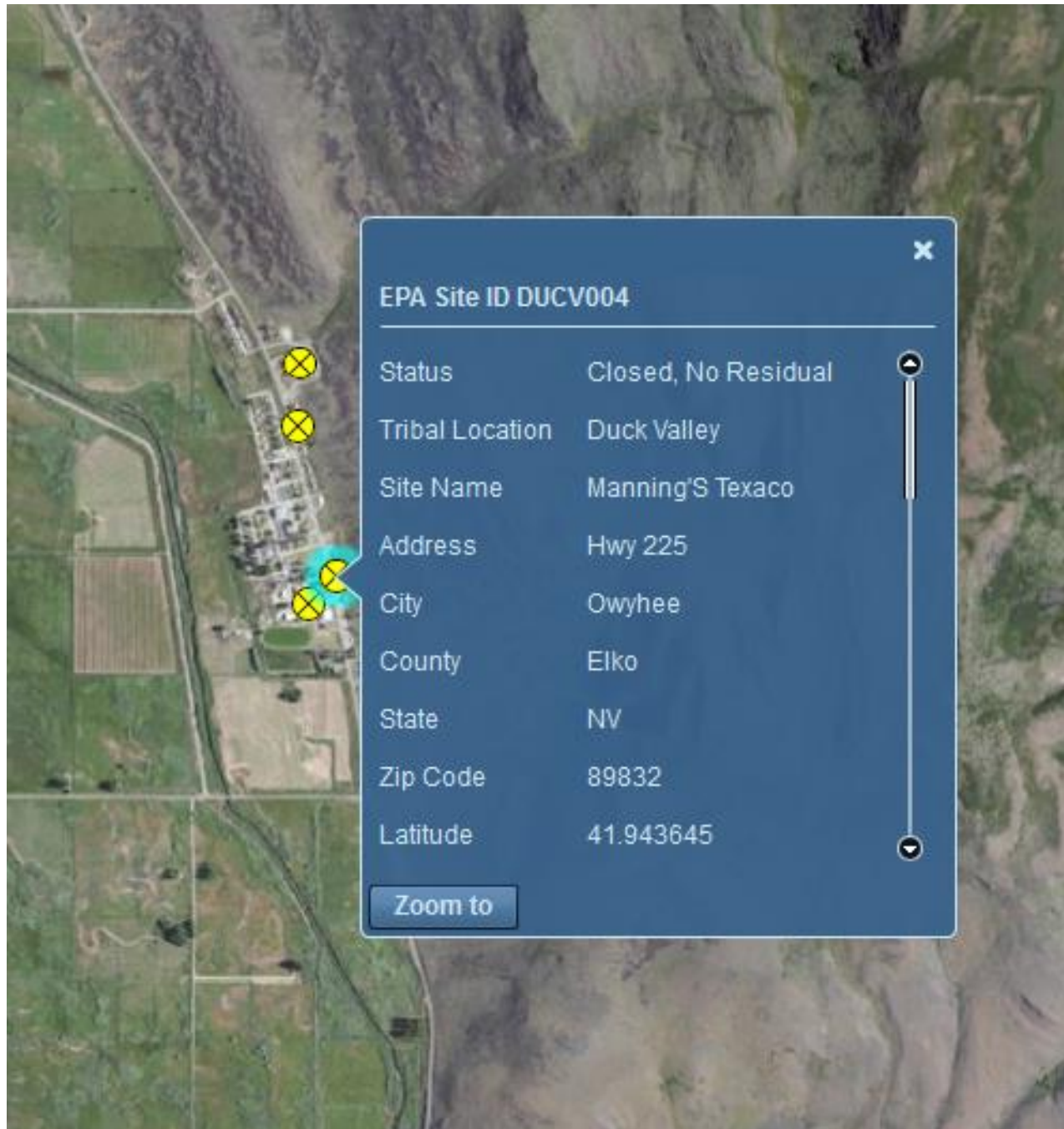
⊗ Closed, No Residual Contamination

County Boundaries



State Boundaries







UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9

75 Hawthorne Street
San Francisco, CA 94105-3901

NOV 11 2014

Kathy Gibson
P.O. Box 219
Owyhee, Nevada 89832

Certified Mail 7012 0470 0000 6668 6711
Return Receipt

Subject: No Further Action ("NFA")
Former J & W Store and Restaurant
HWY 225, Owyhee, Nevada
(EPA ID#: DUCV007)

Enclosure A - LUST No Further Action Summary
Former J & W Store and Restaurant
HWY 225, Owyhee, Nevada
(EPA ID# DUCV007)

4105 1 1 NOV

Site Background

The J&W Store is an abandoned UST site located in a residential community on the Duck Valley Reservation. In 1998, three orphan USTs were found and removed; two had to be left in place because of concerns for the building's foundation. Information collected indicates the 5 USTs were:

Summary of USTs¹

Number of USTs	Size	Contents	Installed	Removed	Last Use
2	1,000 gallons	Gasoline	1941	1998	
1	2,000 gallons	Gasoline	1941	1998	
1	500 gallons	Gasoline	1941		1979
1	500 gallons	Diesel ²	1941		1979

The 1998 removal recorded soil detections of 18,000 ppm Total Petroleum Hydrocarbon (TPH) as gasoline and elevated benzene, toluene, ethylbenzene and xylenes (BTEX) concentrations remaining in the soil.

The site currently has the old store and restaurant building (which is vacant and intact), one abandoned garage and two old dispensers in front of the building.

UST Site Assessment Work

Issue #3 FOIA Requests for tribal UST/LUST data

- ▶ R9 received over 500 FOIAs in 2013 (region-wide)
- ▶ When EPA responds to FOIAs, the data becomes public information and is posted to internet via FOIA online
- ▶ EPA staff time responding to requests is a concern-efficiency
- ▶ R9's FOIA officer recommended efficiency steps for responding

Issue #3 FOIA Requests for tribal UST/LUST data

- ▶ What is Requested from the UST/LUST Program in the FOIAs?



UST Data Fields	LUST Data Fields
Facility ID Alt Facility ID Tribe Facility Name Street Address City, State, Zip Phone Lust Status Status Status Date Latitude Longitude # of Active USTs # of Closed USTs Date of last inspection	Facility ID Alt Facility ID Tribe Facility Name Street Address City, State, Zip Phone Lust Status Status Status Date Latitude Longitude Confirmed Release Date Cleanup Completed Date Cleanup Date

Issue #3 FOIA Requests for tribal UST/LUST data

- Late 2014, EPA issued letters to all R9 Tribal Leaders and Environmental Directors regarding the availability of the data and the new procedures EPA planned to adopt for responding to specific tribal UST/LUST universe FOIA requests.



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NOV 25 2014

EPA Region 9 Tribal Leaders
EPA Region 9 Tribal Environmental Contacts

RE: Updating Underground Storage Tank Program Procedures for Responding to Freedom of Information Act (FOIA) Requests

Dear Tribal Leader:

I am writing today to advise you of a change in procedures for responding to citizen requests for information from the EPA Region 9 Underground Storage Tank ("UST") program.

EPA nationally received 9,951 Freedom of Information Act ("FOIA") requests in 2013 according to the 2013 Annual FOIA Report to the U.S. Department of Justice. EPA Region 9 alone processed 589 requests. As noted on EPA's website, "All federal agencies, including EPA, are required to make requested records available unless the records are protected from disclosure by certain FOIA exemptions." Each year, Region 9's UST program receives multiple repeat FOIA requests for information on (1) all operating UST facilities and (2) all leaking UST ("LUST") sites in Indian Country. EPA is required by law to respond to these requests within 21 days.

Responses to these UST FOIA requests are currently recorded and maintained on EPA's FOIA Online database.¹ In order to respond in a more timely fashion and to reduce the significant staff time dedicated to the processing of FOIA requests, the Region 9's UST program is modifying our procedures for providing this information to the public. Beginning January 5, 2015, Region 9's UST program will maintain these lists (updated semi-annually) for download by public on our website at <http://www.epa.gov/region9/waste/ust>

Issue #3 FOIA Requests for tribal UST/LUST data

- ▶ Efficiency measures R9 has implemented:
 - ▶ In 2014, R9 UST/LUST database was automated to generate the oft-requested standard reports, and
 - ▶ In 2015, R9 posted that same data (csv format) on the R9 Tribal UST/LUST website

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Pacific Southwest, Region 9

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Leaking Underground Storage Tanks in Indian Country

Summary

The Issue

History

Progress

Next Steps

Contacts & Links

Abandoned [underground storage tanks](#) that are often leaking threaten the natural resources, drinking water and health of many Tribal communities. In 2005, the EPA established the nationwide Indian Country Leaking Underground Storage Tank (LUST) Cleanup Initiative (the "Cleanup Initiative"), which aims to clean up as many of these sites as possible using federal funding.



Map of tribal lands where EPA's Pacific Southwest Region is addressing abandoned and/or leaking USTs. [Larger Version](#)

EPA's Pacific Southwest Region is considered a national leader in this Cleanup Initiative. To date, the Region has cleaned up 15 sites using Federal funding and initiated investigations at an additional 65 abandoned and leaking UST sites. The 80 sites that have been addressed comprise over a third of the original 230 sites in the Region. [Progress »](#)

"Through the cleanups, we will be able to restore the land to productive use so that communities can benefit from economic redevelopment," said Stephen Etsitty, Executive Director of the Navajo Nation Environmental Protection Agency, which is one of EPA's partners.

LUST and UST Site Information

New! The following links provide site location information frequently requested under the Freedom of Information Act:

- [LUST Sites in Indian Country, EPA Region 9 \(12/4/14\)](#)
- [UST Sites in Indian Country, EPA Region 9 \(12/4/14\)](#)

(files are in .csv format for spreadsheet)

Davis Chevrolet (Tuba City, AZ)



The site of this abandoned gas station will be home to a hotel and a large department

EPA R9 Team



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- ▶ Steve Linder, Manager, Underground Storage Tank
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- ▶ Rebecca Jamison, Coordinator, Leaking Underground
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- ▶ Mimi Newton, Office of Regional Counsel
Contact: Newton.mimi@Epa.gov 415-972-3941

Discussion - Q & A