

## CY 2010 and 2011 RTOC SOLID WASTE PRIORITY

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**EPA Division/ Office:** Waste Management Division

**Name of Priority:** Solid Waste

**Tribal Caucus Lead:** **John Mosley, Pyramid Lake Paiute Tribe**

**EPA Lead:** **Nancy Sockabasin, EPA Tribal Solid Waste Team**

**Goal:** Ensure the safe and effective management of solid waste and promote sustainable and culturally appropriate solutions to address solid waste challenges.

**Objective 1:** Increase the number of tribes covered by integrated waste management plans (IWMPs) through grants, EPA-sponsored training, and targeted technical assistance. Work with tribes to develop at least 4 new IWMPs – 2 in FY10 and 2 in FY11.

Status: Three plans were completed by tribes in FY10 and five plans have been completed in FY11 that met the 5 Critical Elements. EPA has determined that including these elements in an IWMP ensures the greatest opportunity for success. The Critical Elements include:

1) Description of the community service area, 2) Description of the Tribe's waste management program structure and administration, 3) Description of the Tribe's current and proposed waste management practices, 4) Description of the funding and sustainability and the long-term goals of the Tribe's waste management practices, and 5) Documentation of approval of the IWMP by appropriate governing body.

**Objective 2:** Increase the number of dumps that are closed or cleaned up on tribal lands. This work will be done through grants, increased partnerships with other federal agencies such as BIA and IHS, increased cooperation between the Region 9 Tribal Solid Waste Team and the Region 9 Tribal Program Office, and increased cooperation and funding opportunities with Region 9 states.

**Sub-objective A:** Close at least 55 illegal dumpsites – 20 in FY10 and 35 in FY11.

Status: As of end-of-year FY10, 91 dumps were closed or cleaned up. In FY11, preliminary data shows that 49 additional dumps have been cleaned up.

**Sub-objective B:** Provide leadership on the national dump closure workgroup, which will address issues related to Part 258 regulations and soil sampling.

Status: We are working with a contractor to develop this document. The document includes a decision tree to assist tribes and federal agencies in determining the best approach to close and cover large, managed open dumps in place. Regional Tribal Solid Waste Coordinators are currently reviewing the document and it should be finalized by the end of the calendar year.

**Objective 3:** Collaborating with the RTOC Sustainable Infrastructure workgroup, promote sustainable waste collection, recycling, and composting programs for tribes throughout Region 9.

**Sub-objective A:** Work with tribal and state contacts to increase recycling rates on tribal lands in Arizona and Nevada.

Status: On July 15, 2010 the US EPA Tribal Solid Waste Team (TSW Team) met with the Nevada Environmental Managers to discuss next steps in the process to increase recycling rates in Nevada. Options include working with the Environmental Finance Center Region 9 (EFC9), partnering with identified corporate entities, or using New Mexico as a model for rural recycling. EFC9 is partnering with at least one tribe in Nevada to develop a business plan for a potential recycling or green business and may be partnering with additional tribes as resources become available. EFC9 is currently developing a guide to assist tribes in developing their own business plans for potential projects.

The US EPA Tribal Solid Waste Team is planning to develop a regional rural recycling initiative and is targeting tribes in Arizona and Nevada for the pilot phase. The Team hopes to partner with corporate entities to provide transportation and recycling drop off centers for tribes in remote locations with limited access to recycling infrastructure.

Region 5 piloted a Tribal Solid Waste Peer Match Program and Region 9 is partnering with them, other regions, and headquarters to develop a National Peer Match Program. A “peer match” is a voluntary exchange of information between tribes where one tribe has technical assistance needs and one (or more) other tribe(s) has technical expertise in that same subject area. We are working with the Tribal Program Office to fund peer match projects through the General Assistance Program (GAP) grants. Projects will be considered for funding if they are included in your GAP workplans. Look for an attachment in the GAP solicitation for information on how to incorporate peer match projects into your workplan.

**Sub-objective B:** Provide information and outreach to tribes on a variety of topics. This includes a ‘print and fill’ brochure on abandoned vehicle removal and recycling; additional web resources for green casinos and other topics; and at least 2 web success stories. Success story topics could include: tire removal, green casinos, greening your event, recycling programs, transfer site management, and managing a dumpsite after a cleanup.

Status: A “print and fill’ brochure on abandoned vehicle removal and recycling is now available on EPA’s website (<http://www.epa.gov/region9/waste/tribal/resources.html>). We have also made requests to tribes for topics for potential success stories to be featured on the EPA website. The TSW Team also completed updates for our [Funding Resources for Green Building](http://www.epa.gov/region9/greenbuilding/funding.html) webpage (<http://www.epa.gov/region9/greenbuilding/funding.html>) and it is now more comprehensive and inclusive of tribes. In addition, we created a new webpage (<http://www.epa.gov/region9/greenbuilding/building-codes.html>) that lists and describes greener building and energy codes.

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.

The TSW Team organized four Waste Characterization Trainings. An EPA contractor leads participants through both classroom and field activities to plan an effective solid waste characterization effort. This type of waste characterization is a critical step in developing a comprehensive Solid Waste Management Plan. As importantly, participants discussed how to collect meaningful and useful data to make decisions and take action. The first training was held in September 2010 and was co-hosted by the Yurok Tribe. The second training was conducted on March 9, 2011 and was co-hosted by the Gila River Indian Community. The third training, co-hosted by the Reno-Sparks Indian Colony, was held on May 17, 2011 and held in conjunction with a Pay-As-You-Throw (PAYT) Training on May 18, 2011. Experts discussed PAYT, how it works, impacts, key methods to implement PAYT, and strategies to address political, hauler, and other barriers. Participants learned about can, bag, sticker, and other options, the pros and cons of PAYT and the power of the PAYT incentive. The most recent training was held on July 12, 2011 and co-hosted by the Hopland Band of Pomo Indians. The next Waste Characterization Training will be co-hosted by the Morongo Band of Cahuilla Indians on November 3, 2011. One additional training will be scheduled in FY12.

**Sub-objective C:** Maintain communication between US EPA, tribes, federal and state agencies, and other interested organizations. This includes convening events such as the Interagency and RTOC solid waste workgroup meetings.

Status: An RTOC solid waste workgroup session was held at the April 2010 RTOC meeting to discuss improving communication between the TSW Team and tribes. The TSW Team gave a presentation on various waste management topics at the July 2010 meeting of the Nevada Environmental Managers. At the February 2011 RTOC solid waste workgroup session participants discussed challenges involved in implementing waste management programs. The April 2011 highlighted a tribal case study on the Solid Waste Management Program of the Cahuilla Band of Mission Indians. Brian Baharie, Environmental Director, discussed the successes and challenges in implementing the Tribe's solid waste and recycling program. In July, the TSW Team lead a discussion on a recent audit by the Office of Inspector General (OIG) regarding the EPA Tribal Solid Waste Program. In response to the OIG Audit, EPA is developing an Agency-Wide Plan to provide tribal solid waste management capacity assistance. The overall objective of the OIG review was to determine whether EPA's tribal solid waste management activities are helping tribes develop the management and enforcement capacity they need to eliminate open dumps. The OIG determined that in order to ensure that EPA is providing consistent and effective solid waste management assistance in Indian country, an Agency-Wide Plan is needed. At the session we discussed what EPA will be including in the Plan, and took comments from Tribes on what they think the Plan needs to include. For a copy of the OIG Evaluation Report visit:

<http://www.epa.gov/oig/reports/2011/20110321-11-P-0171.pdf>

A Solid Waste Workgroup call was scheduled to continue discussing the Agency-Wide Plan. Additional feedback was received on this call and comments were incorporated in to the Agency draft of the plan. It is expected that the Draft Plan will be open for consultation on January 24, 2012 and the consultation period will end on March 23, 2012.

The Solid Waste Workgroup also convened a call on September 6, 2011 to discuss the GAP Guidebook and the broad implications the document will have on solid waste management programs for tribes. During this discussion it was agreed this Guidebook should provide clear guidance on how GAP can be used to develop and implement solid and hazardous waste programs. Currently the Guidebook seems to take a very narrow approach to the funding of solid and hazardous waste implementation and that seems to limit the flexibility that previously existed under GAP. The Draft Guidebook focuses only on the implementation of RCRA (i.e, development of a regulatory program) which may not allow for implementation of certain tasks (e.g., dump clean up) that are necessary for tribes to develop and implement effective solid and hazardous waste management programs.

**Sub-objective D:** Create and/or organize solid waste presentations for the Annual Tribal/EPA Conference and other events/meetings. Topics could include green building and composting.

Status: Various presentations were created for the February 2010 Green Casinos Workshop. US EPA Region 9 assisted in developing a Tribal and Rural Communities track for the 25<sup>th</sup> Annual BioCycle West Coast Conference held in April 2010. The track included seven tribal presentations, including a presentation by Brian Adkins of the Bishop Paiute Tribe on their innovative food waste composting project. US EPA Region 9 is again assisting BioCycle with their 26<sup>th</sup> annual conference in April 2011. The Tribal Solid Waste Team assisted in development of a national Green Casino Webinar that was held in August 2010, and also presented on the subject at the OSWER Tribal Lands Forum in San Diego, also in August 2010. The US EPA Waste Management Division organized 6 sessions for the 2010 Annual Tribal/EPA Conference. Topics include: waste characterization audits, sustainable healthcare, biofuels, underground storage tank management and cleanup, and composting and food waste management. The TSW has coordinated planning for 3 waste-related sessions for the 2011 Annual Tribal/EPA Conference. Topics include: Overview of the Waste Management Division, Waste Characterization, and Transfer Stations.

**Sub-objective E:** Conduct at least 2 Green Casino Workshops for tribes by the end of FY11.

Status: A Green Casino Workshop was hosted by the Gila River Indian Community on February 23, 2010. Topics included: food scrap diversion, pollution prevention, and air quality issues. EPA Region 9 partnered with EPA Region 8 and tribal speakers to present a Green Casino Workshop at the National Indian Gaming Association (NIGA) conference on April 4, 2011 in Phoenix, Arizona.

**Reporting Dates:** Quarterly at each RTOC

**Assistance Needed from EPA and Tribes:** Participation in workgroup activities, meetings, conference calls; contribution to written documents; collaboration with local, regional, and national partners.

**For Further Information, Please Contact:**

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