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Superfund and Tribes

Jane Diamond, Superfund Division Director

What Superfund Can Do

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- Emergency Response – Time Critical Removal Actions, Disasters and Emergencies
- Site Assessment – Should Sites be on the National Priorities List (NPL)?
- Clean up Sites on the NPL
- Emergency Planning and Community Right to Know Act (EPCRA)
- Brownfields

Emergency Response

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- Conduct removal actions at contaminated sites that pose an immediate threat to human health or the environment.



Site Assessment

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- Assess and rank hazardous waste sites to determine whether they qualify for listing on the Superfund National Priorities List (NPL).
- Conduct site visits, review records, interview people and conduct sampling to determine if people or sensitive species are exposed to hazardous substances.

Clean Up Sites on the NPL

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- Several R9 Tribes are affected by Superfund sites on the NPL.



Leviathan Creek
and clean tributary

Emergency Planning & Community Right To Know Act (EPCRA)

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- EPA awarded emergency planning grants to more than 20 Tribes, including the Pala Tribe, our host today.
- EPA sponsored training for 10 Arizona Tribes to oversee underground fuel tank and hazardous substance cleanups.
- The Gila River Indian Community was the first Tribe in Region 9 to develop a full EPCRA ordinance.

Brownfields Program Helping Tribal Communities

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Targeted
Brownfields
Assessments

Assessment,
Cleanup &
Revolving Loan Fund
Grants

Job Training
Grants

128(a)
State & Tribal
Response Program

Brownfields Assessments & Cleanups

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- Guidelines and FAQs available at:
<http://www.epa.gov/brownfields/applicat.htm>
- Application deadline is November 28, 2011
- Please contact Glenn Kistner before applying
kistner.glenn@epa.gov or (415) 972-3004

Former feedlot – Salt
River Pima-Maricopa
Indian Community, AZ



Targeted Brownfields Assessments (TBAs)

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- Technical assistance provided to Tribes by EPA
- Assessments only – separate grant needed to perform cleanup
- Contact: Carolyn Douglas at (415) 972-3092
douglas.carolyn@epa.gov

Former car wrecking yard –
Pinoleville, CA



128(a) Response Programs

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- CERCLA 128(a) for states and federally recognized tribes only.
- Help build and enhance a Tribal response program to address contaminated sites (brownfields).
- Annual grant and non-competitive.
- Seven Tribes in R9 receive 128(a) grants.
- For success stories, see http://www.epa.gov/brownfields/state_tribal/news.htm

128(a) Grants

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- Not competitive
- Announcement expected in late November 2011 – early December 2011
- Information available at http://www.epa.gov/brownfields/state_tribal/index.html
- EPA Contact: Glenn Kistner
kistner.glenn@epa.gov
(415) 972-3004

EPA Consultation with Tribes

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- Policy went into effect May 4, 2011.
- Designed to ensure that Tribes have a meaningful and timely opportunity to provide input on actions that may affect their interests.
- R9 Superfund Division is evaluating how we will do things differently--let us know what ideas you have.

National Historic Protection Act and EPA Consultation with Tribes

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- ❑ EPA Region 9 is building a stronger NHPA Section 106 compliance program:
 - Annual NHPA 106 training program with Tribal Historic Preservation Office presentation as part of the training to give a tribal perspective.
 - Interagency Agreement with the US Army Corps of Engineers for cultural resource technical assistance to EPA on NHPA issues.
 - Consultation with tribes and the Office of Historic Preservation on Removal, Remedial and Brownfields projects.

Recent EPA R9 and Tribal Consultations on NHPA

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- Navajo Nation Legacy Uranium Contamination
- Yellowstone River Oil Spill, MT
- Sulphur Bank Mercury Mine, Lake County, CA
- Santa Susana Field Laboratory site, Simi Hills, CA
- Fort Lowell, Tucson, AZ

Sulphur Bank Mercury Mine
waste removal project, 2010



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Questions & Feedback?

Svetlana Zenkin, EPA Region 9 Superfund
Tribal RTOC Liaison

zenkin.svetlana@epa.gov

(415) 972-3095