

Superfund and Tribes

Jane Diamond, Superfund Division Director

What Superfund Can Do

- 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

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





Site Assessment

- 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

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

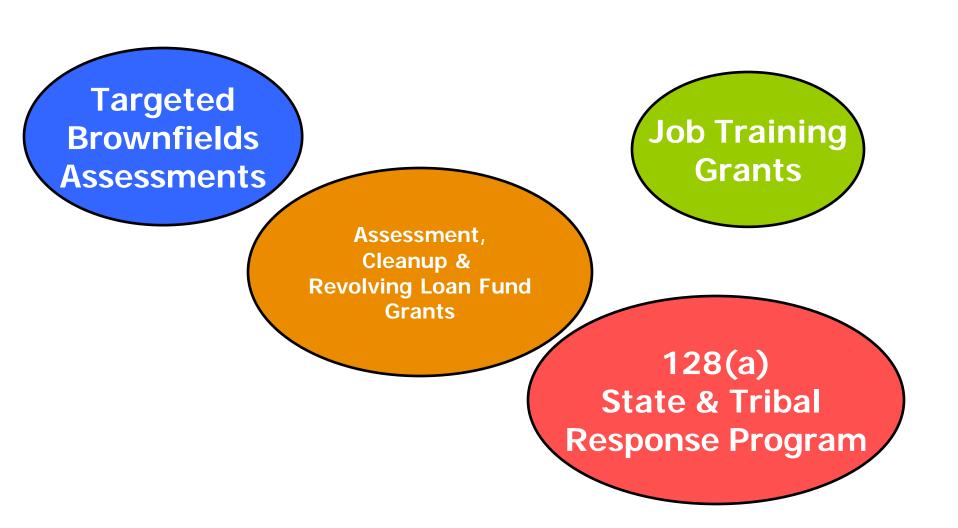


Leviathan Creek and clean tributary

Emergency Planning & Community Right To Know Act (EPCRA)

- 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



Brownfields Assessments & Cleanups

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

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



Targeted Brownfields Assessments (TBAs)

- 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

Former car wrecking yard – Pinoleville, CA



128(a) Response Programs

- 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

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

- Policy went into effect May 4, 2011.
- Designed to ensure that Tribes have a meaningful and timely opportunity to provide input on actions that <u>may affect their interests.</u>
- 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

- 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

- 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



15 Questions & Feedback?

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