

## OAR Tribal Activities 2011

In FY2011, OAR is continuing efforts to support tribal development of capacity to implement the CAA in Indian country. While tribes have made tremendous progress over the last several years, there is still significant need for tribal air quality management programs to be developed and refined.

At the current time, 32 tribes have been found eligible to be treated in a manner similar to states for purposes of implementing the CAA in Indian country. Five of those found eligible submitted implementation plans to formally implement CAA programs for their reservations. Two tribes are implementing CAA §110, two tribes are implementing Title V permitting programs and one is developing a minor new source permitting program. Many others are conducting assessments, monitoring their air quality, both indoors and out, and undertaking activities typical of any air quality management program, including conducting outreach and education efforts for their communities, participating in local, regional and national planning efforts and organizations including the National Tribal Air Association, and working with neighboring jurisdictions and EPA to develop effective programs and policies.

In support of these widespread and richly diverse programs, OAR has a robust set of activities underway for 2011. These actions support 5 priority areas in working the tribes: These areas include 1) Training and Capacity Building, 2) Technical Support, 3) Rules and Policies, 4) Other Programs and, 5) Internal EPA Activities. This document discusses planned actions and activities by OAR -IO, ORIA, OAQPS, OTAQ and OAP to support, expand and assist tribal implementation of air quality management activities nationwide in FY11. Note that much of EPA's support for improved air quality and increased capacity for air quality protection on tribal lands comes through activities led by EPA's regional offices. Headquarters OAR Offices and Regions work together on many tribal issues, and the Headquarters activities described below supplement, complement and support the regional efforts.

### **1) Training and Capacity Building**

Build tribal adaptation planning and capacity and communicate climate change impacts.

- Deliverable: OAP awarded a cooperative agreement to provide technical and financial support to ITEP, which will enable regular tribal adaptation planning workshops and other outreach efforts such as webinars, technical assistance calls, and maintaining a tribal climate change website in 2011 and beyond.

Strengthen technical capacity of tribal grant recipients:

- Deliverable: OTAQ staff will continue to support, assist, and provide guidance to tribal DERA applicants and grantees
- Deliverable: OTAQ DERA Tribal Program staff will attend a regional retreat in July 2011 to help regional staff develop program tribal outreach strategies. Goal is to maintain the number of applications equal to the current four funded grants

Classroom and hands-on training:

- Deliverable: The TAMS Center located at the ORIA Las Vegas Laboratory will deliver 14 tribal training courses in FY11, including one on-line training. Courses are conducted at the Las Vegas training facility as well as at tribal sites. 89 tribal representatives have received training so far this year and an additional 65 are expected to attend training workshops;
- Deliverable: ORIA will provide scholarships so tribes can fully participate in our national meetings: the Asthma Forum and the Indoor Air Quality Tools for Schools national symposium. At the most recent Asthma Forum (June 2010) 13 tribal representatives participated and the December 2010 IAQ Tools for Schools National Symposium had 18 tribal participants. ORIA also hosts a tribal focus session where tribes can develop and coordinate their specialized issues
- Deliverable: ORIA will conduct a post-Schools Symposium webinar with attendees and others to ensure progress in getting tribal schools to adopt Tools for Schools protocols.
- Deliverable: Plan and provide an Asthma outreach and education session for the upcoming National Tribal Forum in June 2011

Expand outreach and engage tribes on climate adaptation planning and mitigation implementation activities.

- Deliverable: OAP's State and Local Climate Energy Program will be hosting a climate change adaptation webcast specifically for tribes during the summer of 2011
- Deliverable: OAP will be working to improve the content of the Tribal Climate and Energy information web site which is critical to providing tools to tribes to address climate and energy issues.

## **2) Technical Support**

Provide culturally sensitive, consistent and state of the art resources to tribes as they address indoor and outdoor air issues including web-based training and outreach materials:

- Deliverable: ORIA developed and supports an IAQ website which promotes tribal training opportunities; provides links to interactive webinars given by experts on indoor issues of concern to tribes; and, provides an interface for tribe-to-tribe communication and learning. In addition, ORIA will continue to distribute an IAQ Tribal monthly newsletter which is sent to over 500 tribal stakeholders and active partners
- Deliverable: OAQPS and Region 10 will support an Intergovernmental Personnel Agreement to increase outreach, communication and technical support to Alaska Native Villages through the addition of one support person in the Anchorage Office
- Deliverable: OAQPS will upgrade the Tribal Emissions Inventory Software Solutions (TEISS) package to comport with EPA's new database, and provide training and outreach to tribes on how to submit their data and work within the system
- Deliverable: OAQPS will support technical capacity building with tribes through support for training activities with ITEP, NTAA, policy calls, Tribal Air Newsletters and websites. Supporting activities are ongoing

- Deliverable: OAQPS will upgrade the OTS database system to incorporate additional tracking elements for tribal capacity development and provide an NSR registration database
- Deliverable: Region 10 will provide additional outreach and educational materials including the “Clean Air, Healthy Villages” DVD for wider distribution across Alaska and for outreach training events in these communities
- Deliverable: ORIA will provide outreach and technical support to teach tribal representatives how to mitigate radon in their homes and to improve weatherization of their homes throughout 2011
- Deliverable: OAP will provide technical assistance and monitor grants to six tribal Climate Showcase Community grant recipients through administration of the CSC Grant Program. Three tribes (Gila River, Tanana Chiefs Conference, Northern Cheyenne) received funds in 2010 and an additional three tribes (Confederated Tribes of Siletz Indians, Choctaw Nation, Santa Ynez Band of Chumash Indians) received funds in 2011.
- Deliverable: At the request of tribes, OAP staff will attend tribal conferences, specifically the 2<sup>nd</sup> annual Sustainable Tribal Utility Summit, to provide information on regulatory and voluntary greenhouse gas and ozone-depleting substances reduction programs, particularly Responsible Appliance Disposal (RAD) Program and section 608 and 609 certification to service stationary and motor vehicle air conditioning and refrigeration systems.
- Deliverable: OAP will continue to provide technical assistance to Green Power Partnership and Combined Heat and Power Partnership tribal partners and will conduct outreach to recruit more tribal partners.

Assist tribes in their efforts to address uranium mining legacy issues through provision of radiation information and increased input from tribes on uranium contamination issues

- Deliverable: ORIA will continue working with Region 9 to assist the Navajo Nation’s efforts to establish a Navajo Uranium Commission allowing the tribe to have the technical and policy expertise to deal with issues associated with past uranium mining legacy issues
- Deliverable: ORIA will continue to encourage and support tribal participation in the SIRG program. In FY10, the most recent year for complete grant information, seven tribes received radon grants totaling over \$300k as part of the SIRG program. Tribes have participated annually in the SIRG program since FY 1999
- Deliverable: Continue to support tribal participation in the radon test program for tribal homes, including outreach, education and analysis of test kits. Fifteen tribes participated in the *Radon Test Kits for Underserved Communities* program where EPA provides and analyzes radon test kits. In the past, over 17% of the tests had results in excess of the 4.0 pCi/l. action level

### **3) Rules and Policies**

Implementation of Tribal New Source Review rules, once the rule is finalized OAQPS will:

- Deliverable: Provide training, outreach, capacity building, planning and development for implementation by tribes and Regional Offices and meeting data and recordkeeping requirements

- Deliverable: Development of General Permits, Permits by Rule and other rules to streamline implementation
- Deliverable: Develop a NSR database to track registration of sources

#### NAAQS Policy Development for Indian country

- Deliverable: OAQPS will develop a policy to provide consistent guidance to the process of NAAQS designations in Indian country that respects tribal sovereignty, particularly where the tribe requests a designation different from the surrounding area, but also where the tribe requests a designation of their specific legal reservation. Scheduled for July completion to support ozone standard implementation
- Deliverable: OAQPS will work closely with tribes on rulemakings to improve tribal participation through proactive outreach and consultation on upcoming rules and programs including: Utility air toxics rule, NSPS for GHG for Utilities, petroleum refineries, Tribal NSR, RTR for Oil and Gas production, RTR for pulp and paper and others

#### Implementation of Transport Rule

- Deliverable: OAP conducted formal tribal consultation for the Transport Rule and will provide follow-up when the rule is finalized in June 2011

#### **4) Other Programs**

##### Strengthen outreach and communication to increase tribal participation:

- Deliverable: OTAQ's DERA Tribal staff will provide outreach information at the 2011 National Tribal Forum on Air Quality in Spokane, Washington
- Deliverable: OTAQ staff will visit at least two DERA Tribal award projects as well as attend all 10 modules of the spring 2011 Tribal Administrative and Financial Guidance for U.S. EPA Assistance Agreements Webinar Series

##### Support the Operation of Tribal Monitoring Networks

- Deliverable: OAP will continue to support the National Atmospheric Deposition Program – Atmospheric Mercury Network (NADP – AMNet) site operated by the Cherokee Nation through 2011
- Deliverable: OAP will continue to support Clean Air Status and Trend Network's (CASTNET) rural air quality monitoring sites with tribal partners: Santee Sioux, Cherokee Nation, and Alabama – Coushatta through 2011
- Deliverable: OAP will continue to support the NADP Ammonia Monitoring Network (NADP – AMoN) sites operated by Cherokee Nation and Santee Sioux through 2011

#### **5. Internal EPA Activities**

Lead and coordinate tribal consultation efforts under EO 13175 and EPA's developing implementation plan and policy

- Deliverable: Coordinate with AIEO and Agency Offices to fully implement the 2011 Consultation Policy in FY2011. Coordinate development of an approach to implementation across OAR

Encourage and facilitate training opportunities for OAR management and staff to enhance their ability to work effectively with tribes and on tribal issues

- Deliverable: Present a training opportunity for OAR management and staff on Working Effectively With Tribal Governments.
- Deliverable: Promote completion by managers and staff of the on-line training located at <http://tribal.golearnportal.org/> or <http://intranet.epa.gov/aieo/training/tribal/EPA/mainmenu/launchPage.htm>

Manage national grants to support tribal capacity building, training and technical assistance and involvement in policy and regulatory development

- Deliverable: Deliver annual National Tribal Forum jointly with the National Tribal Air Association and the Institute for Tribal Environmental Professionals
- Deliverable: Coordinate with and oversee national grantees to ensure effective implementation of grants to support training and technical support with ITEP, encourage tribal students to pursue careers in air quality management with the EEOP program and, develop and enhance tribal participation in policy and regulatory development with the NTAA
- Deliverable: OAR will support the TAMS Center's base operations to ensure the provision of top quality training and technical support. The TAMS Center will also upgrade IT capabilities to improve the capabilities of the Virgil Masayesva tribal training center
- Deliverable: The TAMS Center will continue to provide contractor support for tribal PM 10 filter analysis