



Tribal Waste and Response Steering Committee 2019 Priorities

March 2019

Table of Contents

Table of Contents.....	1
List of Members.....	2
TWAR SC Mission.....	3
TWAR SC Goals.....	3
Cross-Programmatic Priorities.....	4
Program Specific Priorities	
Solid/Hazardous Waste.....	5
Brownfields.....	5
Underground Storage Tanks.....	6
Superfund.....	6
Federal Facilities.....	7
Emergency Response.....	7
OECA.....	8
Summary.....	9
Contact Information.....	9

*** All photos are courtesy of TWAR Steering Committee members and reflect activities occurring on their Tribal Nation lands**

The Tribal Waste and Response Steering Committee (TWAR SC) is a Federal U.S. EPA Tribal Partnership Group comprised of subject matter experts from federally recognized Tribes and Alaskan Native Villages from various US EPA regions. The views expressed by the TWAR SC are those of the SC members and not of individual Tribes and/or Alaskan Native Villages. Furthermore, interaction with the TWAR SC is not a substitute for, or constitutes government-to-government consultation, which can only be achieved through direct, early and meaningful consultation between the Federal government and individual Indian Tribes and Alaskan Native Villages.

This is a living document that will be updated as the TWAR Steering Committee sees necessary. Its intention is to communicate the needs of Tribes, influence policy, and determine useful actions for the protection of health, culture, and natural resources in respect to OLEM-related issues.

Tribal Waste and Response Steering Committee Members



Back Row: Erika Wilson, Mark Junker, Page Hingst, Barry Breen, Peter Wright, Nigel Simon, Victoria Flowers, Virginia LeClere, and Quinton Jacket. Front Row: Lisa Vandever, Tracy Horst, Julie Jurkowski, Rebecca Stevens, Todd Barnell, and Rob Roy

Member	Tribe	Current Term
Victoria Flowers	Oneida Nation	2018-2020
Page Hingst	Santee Sioux Nation	2018-2020
Tracy Horst	Choctaw Nation	2018-2020
Quinton Jacket	Ute Mountain Ute	2018-2020
Mark Junker	Sac and Fox Nation of Missouri in KS and NE	2017-2019
Virginia LeClere, Vice Chair	Prairie Band Potawatomi Nation	2017-2019
Rob Roy	La Jolla Band of Luiseño Indians	2017-2019
Rebecca Stevens	Coeur d'Alene Tribe	2018-2020
John Wheaton	Nez Perce Tribe	2018-2020

TWAR SC Overview

The Tribal Waste and Response Steering Committee (TWAR SC) is a Tribal Partnership Group, composed of Tribal professionals working in waste, emergency response, Superfund, Brownfields, and Underground Storage Tanks (USTs). They were established in 2009 as part of a cooperative agreement with US EPA's Office of Land and Emergency Management (OLEM) and the Institute for Tribal Environmental Professionals (ITEP). The TWAR SC meets at least six times a year to provide input to US EPA and other federal agencies, as well as cooperating with ITEP and other Tribal Partnership Groups. They strive to provide two-way communication between Tribal professionals and staff at the US EPA utilizing this Priority Document is one tool that is used to ensure Tribal concerns and suggestions are considered by OLEM personnel and others at US EPA.

Mission



The TWAR SC will maintain a cooperative exchange of information between American Indian Tribes and Alaska Native Villages, US EPA OLEM, and other federal partners and organizations to assess, understand, prevent, or mitigate environmental impacts that adversely affect health, culture, and natural resources. The TWAR SC also cooperates with, and where appropriate, coordinates with other Tribal Partnership Groups.

TWAR SC Goals

Goal 1: Protect human health and the environment while recognizing the cultural values and unique needs of American Indian Tribes and Alaska Native Tribes and Villages.

Goal 2: Improve communication, and foster interagency collaboration, between Tribes and Alaska Native Tribes and Villages, federal agencies, and other partners.

Goal 3: Increase Tribal opportunities to guide OLEM in developing policies and programs related to the evolving needs and priorities of Native environmental programs.

Cross-Programmatic Priorities for US EPA



The TWAR SC has identified the following actions the US EPA should undertake to help reach the goals outlined above. These activities include, but are not limited to, the following:

- Increase the communication between Tribal Partnership Groups themselves, and US EPA, to better foster cross-programmatic work and help break down media-based barriers.
- Increase the use of Traditional Ecological Knowledge (TEK), as defined by Tribes, in risk scenarios consistent with culturally significant practices.
- Attend and participate in resilience planning activities that are hosted by Tribes. These may include Tribal Sovereignty courses, climate change adaptation trainings, and multiple agency events.
- Document the incorporation of Tribal Treaty Rights, as well as Aboriginal Territories, Customary and Traditional Use areas, and Traditional Cultural Properties which can affect transboundary jurisdiction.
- Maintain annual meetings of OLEM offices with the TWAR SC in order to share information about how US EPA’s priorities align with those expressed in this Priority Document.
- Design a streamlined and efficient grant approval and cooperative agreement award process.
- Encourage the attendance of the maximum number of appropriate OLEM and Regional staff at the Tribal Lands and Environment Forum.
- Leverage resources that support increasing Tribal capacity to interact in leadership roles in prevention planning, climate resiliency, mitigation, response, and recovery among their federal and local partners through training, certification, and mentoring.
- Track the implementation of the strategies and actions specified in Chapter 9 (Tribes and Indigenous Peoples) of the EJ2020 document as part of US EPA decision-making processes.
- Continue to enhance the tools developed by US EPA E-Enterprise activities and integrate them into existing, and future, US EPA projects.
- In 2019 begin to provide the percentage of cooperative agreements and Memorandums of Understanding (MOUs) with states that include the requirement to “consult and coordinate with Tribes”.

Program Specific Priorities

Solid/Hazardous Waste

- US EPA should continue their collaboration with IHS to correct the inaccuracies in the wSTARS database, and allow flexibility for Tribes to determine their own priorities and ranking of solid waste projects, by 2020.
- Fully implement, and provide ongoing updates to, the recommendations and/or tools developed by all three teams involved in the Infrastructure Task Force (ITF) Solid Waste Sub-Workgroup by the end of Fiscal Year 2020.



Continue to support waste minimization/diversion, recycling, composting, and source reduction strategies that reduce the costs associated with handling solid waste, including promoting industry take-back programs through Sustainable Materials Management mechanisms and programs.

- US EPA should continue to provide assistance and resources to Tribes in the area of food waste. US EPA should recognize that food waste minimization and diversion (such as the creation of composting projects) are also related to the critical issues of Tribal food sovereignty and security, and affect Tribal programs beyond solid waste management (e.g. health, culture, and economic development).
- All EPA Regions need to be consistent in allowing Tribes to determine their own approval mechanisms for Solid Waste Management Plans.
- Through collaboration with Environmental Council of the States (ECOS) and Association of States and Territorial Solid Waste Management Officials (ASTSWMO), encourage states to allow Tribes to access municipal HHW take back programs.

Brownfields



- By 2021, identify evaluation criteria for 104(k) grants that considers site inventories created under 128(a) awards as a scoring criteria.

- Create a guidance document for US EPA project officers to ensure that 128(a) grants are administered in a consistent manner.
- In 2021, increase the number of acres that are assessed or cleaned up under 104 or 128 on lands defined by Tribal Treaty, Customary and Traditional Use, and Traditional Cultural Properties.

Underground Storage Tanks

- Create a national database of UST inventory.
- Increase the percentage of funding allocated for Tribal activities and make data on LUST sites consistent and reliable.
- Continue collaborating with public-private partnership research groups to study solutions to the critical problems of microbial fouling and corrosion at UST facilities.
- By the end of 2020, develop a uniform tank inspection and inventory form.

Superfund

- Document collaboration between OLEM, OECA, and Office of Water at both the national and regional level during remedial design and implementation phases dealing with groundwater and drinking water (e.g. conference calls, decision memos, etc.), and recognize that Tribal Water Quality Standards and other tools utilized by Tribal Superfund programs are critically important in protecting downstream waters.
- Identify actions taken to ensure the protection of cultural resources, Tribal data integrity, Treatment as a State (TAS), and Tribal Water Quality Standards (WQS) during remedial action design phases.
- Continue investing in and supporting the Tribal Superfund Workgroup through conference calls, in-person meetings, trainings, and onsite mentoring.
- Collaborate with Tribes on Superfund sites to ensure the accuracy of Tribal database/map layers including those areas that affect Treaty Rights, aboriginal areas, Usual and Accustomed Areas, and ceded territories.



- Increase funding to support Tribes in the development of their own Tribal Superfund cleanup programs, as well as their capacity to oversee, coordinate, and administer Tribal Remedial Response Cooperative Agreements, including local Tribal cultural resource monitoring with EPA on NPL sites.
- The National Tribal Toxics Council is currently working with US EPA on creating educational curriculum focused on Tribal communities to provide facts and information about lead in the environment. By 2020 US EPA should coordinate internally to ensure this resource to Tribal communities with Superfund, or related sites contaminated with lead, is made widely available.

Federal Facilities



- Ensure “remedy resilience” approaches are consistent with the best available data, and consider Traditional Ecological Knowledge (TEK).
- Collaborate, where appropriate and acceptable to all parties, with Tribes to ensure the accuracy of Tribal GIS layers in FEDFacts.
- Support the development of Tribal capacity in overseeing assessment and cleanup activities.
- Encourage EPA to use convening authorities to facilitate collaboration among federal entities involved in cleanup activities so that Tribes are engaged and active partners in all cleanup processes.

Emergency Preparedness and Response

- By 2021, complete an inventory of Tribes with an emergency management infrastructure in place. This should be a first step toward identifying resources necessary to more efficiently assist Tribal programs in developing their own capacity.
- By 2022, create a listserv for Tribal professionals specific to the activities of the Office of Emergency Management.
- Provide at least one emergency response training or exercise, per year in each US EPA Region, through coordination with other federal agencies and other entities.

- Identify response resources and improve coordination with Tribes in the rapid and efficient set-up of monitoring equipment during wildfires and other emergency events, and subsequent sharing of data.
- Prioritize prevention of releases by increasing the number of AST inspections, either by EPA or federally-credentialed Tribal inspectors.
- Facilitate Tribal use of National Response Center communications and outreach tools at national and local levels.

Office of Enforcement and Compliance Assurance

- Increase opportunities for Tribes to obtain federal inspector credentials.
- Support Tribes and Alaska Native Villages with multi-jurisdictional and inter-agency enforcement and compliance assurance while respecting Tribal sovereignty.
- Develop a resource directory of training opportunities for personnel involved in conducting inspections by 2020.



Summary

The TWAR SC priorities are shared regularly with the National Tribal Operations Committee, US EPA OLEM, Tribal Nations, and others. The TWAR SC meets each year with various offices in US EPA OLEM to discuss these priorities, as well as other issues of concern to Tribes. The TWAR SC also requests reports from these offices on any progress made in addressing the priorities detailed in this document, so this information can be shared with other Tribal professionals around the country.

More information, including meeting notes and the committee's charter, are available at the TWAR SC website (<http://www7.nau.edu/itep/main/twarsc/Home/Index>). If you would like to sign up to be on our listserv to receive our bi-monthly newsletter and more information about TWAR SC meetings and trainings we offer please contact ITEP staff listed below. To provide feedback on the content of this document please contact the Chair, Vice Chair or ITEP staff.

Contact Information

TWAR SC Officers

Mark Junker, Chair
Email: mark.junker@sacfoxenviro.org
Phone: (785) 742-4706

Rebecca Stevens, Vice Chair
Email: rstevens@cdatribe-nsn.gov
Phone: (208) 667-5772

ITEP Staff

Todd Barnell, Project Director
Email: Todd.Barnell@nau.edu
Phone: (928) 523-3840

Julie Jurkowski, Program Coordinator Senior
Email: Julie.Jurkowski@nau.edu
Phone: (928) 523-9404

