

Region 10 Tribal Newsletter

Vol. XIV No. IV
April, 2005

Work Shops and Conferences

April 4-8, 2005, Sustainability and Restoration: A Practical Partnership for the 21st Century. Washington State convention and Trade Center, Seattle, WA. <http://www.engr.washington.edu/epp/ser>

April 17-22, 2005, Tribal Leaders Summit 05, Sitka, AK. Info: Nathan Spees 907/271-6334

June 7-10, 2005, 7th National Tribal Conference on Environmental Management in Traverse City, Michigan. For information: Andy Knott 231/271-7363, or Suzanne McSawby 231/271-7104,

September 19-22, ATNI, 52nd Annual Conference, Coeur d'Alene, ID. Info 503/249-5770

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Earth Day

In a response commensurate with the many environmental problems, an estimated 20 million Americans gathered together on April 22, 1970, which this year marks the 35th year, to participate in a spectacularly well-publicized environmental demonstration known as "Earth Day."

Earth Day, April 22, is a day to show how much we care about protecting public health and the environment and do something for those that will follow us.

Tribal Operations Director

Sandra Johnson will be leaving her position as Director of Tribal Operations in May of 2005 as her IPA assignment comes to a close. She will be returning to her position with the Jamestown S'Klallam Tribe. Sandra has been a well-traveled representative of Tribal interest, and effective resource to Tribes, and an articulate spokesperson on Tribal issues within and external to EPA.

The process will soon begin of filling the position of Director of Tribal Operations with a senior member from one of the many Tribes in Region 10 via a two-year IPA assignment.

EPA Budget Cuts

The Bush administration has released its proposed Fiscal Year (FY) 2006 budget, and is seeking less funding for EPA, the National Oceanic and Atmospheric Administration (NOAA), and the Department of Energy (DOE). Funding for the Clean Water State Revolving Fund is significantly reduced, while brownfields funding

is increased. For more:

<http://www.lgean.org/html/whatsnew.cfm?id=870>

Head of EPA

President Bush assigned Stephen Johnson, as the acting head of the U.S. EPA, in March, nominating him to the top job on a full time basis.

The President urged the Senate "to confirm this nomination promptly." One of Johnson's top jobs according to Bush would be to "lead federal efforts to ensure the safety of our drinking water supply."

Environmental Justice Grants

Funding Available for Environmental Justice Projects in Local Communities EPA is now accepting applications for the Environmental Justice Small Grants Program. The program provides financial assistance to eligible affected local community-based organizations working on projects to address local environmental and/or public health concerns. Submissions are

due by April 5, 2005. More: http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html

EPA Online

The EPA Region 10 Home page features links to important and exciting items of environmental concern. Whether you are researching environmental laws, Superfund sites, Tribal information or are merely interested in what's happening in your neighborhood, EPA's Home Page can help you. Try: www.epa.gov/r10earth.

Reduce Toxic Risks Grant

EPA is launching a new grant program to help communities understand and reduce the risk of exposure to toxic chemicals. Through Community Action for a Renewed Environment (CARE), EPA is offering communities financial and technical assistance to reduce releases of toxic pollutants and minimize exposure to them. Communities will be empowered to create local collaborative partnerships to identify sources of toxic exposure and set priorities for risk reduction. Communities also will have access to tools from EPA's voluntary programs that focus on reducing exposure to toxic pollutants, such as programs that reduce emissions from diesel engines, clean abandoned industrial sites, improve the indoor environment in schools, and use pollution prevention to protect drinking water supplies.

CARE will offer funding at two levels. Under Level I, communities will receive approximately \$75,000 to establish collaborative partnerships for reducing toxic releases in their environment. Level II offers approximately

\$300,000 to communities that already have a broad-based collaborative partnership and are ready to implement risk reduction strategies. Applications are due May 20th 2005. <http://www.epa.gov/air/grants/05-08.pdf>.

2005 Brownfields Conference

This year's national brownfields conference, sponsored by EPA and ICMA, will be held in Denver, CO, on November 2-4, 2005. Elements of the 2005 conference include a comprehensive educational program, mobile workshops and walking tours, an exhibit hall, the Brownfields Transaction Forum, the 2005 film series and networking opportunities. More: http://www.lgean.org/html/conferences_detail.cfm?id=803

Brownfields 2005 Scholarships

The International City/County Management Association (ICMA) is pleased to sponsor a limited number of full and partial scholarships for individuals interested in attending the Brownfields 2005 conference, but who cannot attend without financial assistance for travel. To be eligible, you must be affiliated with, or a representative of a local government, state or tribal government, community organization, environmental justice organization, or nonprofit group. The scholarship program will ensure diverse brownfields stakeholder groups' participation in the conference. The Deadline for submittal is April 29th. For more: WWW.BROWNFIELDS2005.ORG or contact ICMA_atardhesi@icma.org or 202/962-3657.

Brownfields Grants

The Office of Brownfields Cleanup and Redevelopment of the EPA's Office of Solid Waste and Emergency Response is soliciting proposals for brownfields training, research and technical assistance. The purpose of the grants is to focus brownfields programmatic attention on the environmental and human health conditions in low income communities and socio-economically disadvantaged communities that are unable to draw on alternative sources of funding for assessment or cleanup of brownfields and their subsequent redevelopment. Projects can also provide technical assistance to communities which will enable them to stimulate economic and other beneficial reuses. The deadline for proposals is May 1, 2005. http://www.epa.gov/swerosps/bf/pg/rta_0205.htm

Brownfields Awards

The Phoenix Awards honor individuals and groups who are working to solve the critical environmental challenge of transforming abandoned industrial areas into productive new uses. Criteria for the awards focus on the magnitude of the project, innovative techniques, solutions to regulatory issues, and impact upon the community. The deadline is June 30, 2005. More: <http://www.phoenixawards.org>

Atmospheric Particulate Grants

EPA is seeking applications proposing continuous measurement techniques that determine the composition of fine atmospheric particulate matter (PM). These improved continuous measurement techniques should provide insight into the sources contributing to

measured concentrations in ambient air, into the effectiveness of potential control strategies, and into the possibility of composition-specific PM regulatory standards. Applications are due June 7, 2005 More: http://es.epa.gov/ncer/rfa/2005/2005_co nt_meas_methods_pm.html#

Water Protection Handbook

The Trust for Public Land (TPL) has released a resource called "Source Protection Handbook: Using Land Conservation to Protect Local Drinking Water Supplies." This handbook provides local governments, water suppliers and agencies, and community drinking water advocates with the tools to identify source water conservation opportunities, implement funded source water conservation programs, and acquire and protect the lands that will help keep our drinking water clean. More: <http://www.lgean.org/html/whatsnew.cfm?id=869>

Funding Questions

Searching for Funding, Have a Regulatory Question or Need Other Help? Ask LGEAN is a free resource designed to help local officials resolve difficult environmental questions. City and county officials can contact LGEAN via the Web site, a toll-free telephone hotline 877/865-4326 or via e-mail lgean@icma.org. LGEAN answers questions about funding, regulation compliance, environmental liability, and all other aspects of environmental management. More: <http://www.lgean.org/html/asklgean.cfm>

Consumption Database

The Commission for Environmental Cooperation launched a new online database cataloging information about sustainable consumption and production initiatives in North America. Website visitors can learn about sustainable consumption projects that they can support, join or replicate in their own community.

Approximately 200 initiatives and programs are listed in the searchable database, covering such issues as pollution prevention, consumer products, procurement, poverty, tourism, trade, transport, and waste. The database is an initiative of the North American Sustainable Consumption Alliance, a strategic partnership of people and organizations working to promote more sustainable consumption patters in Mexico, Canada and the United States. Info: <http://nasca.icspac.net/db>

Environmental Liability

The International City/County Management Association (ICMA) and the American Public Works Association (APWA), in cooperation with EPA, will host a webcast, "Environmental Management Systems: A Powerful Tool to Help Local Government Managers and Public Works Directors Minimize Environmental Liability, Increase Efficiency, and Improve Financial Health," on April 12, 2005. The webcast will showcase local governments that have successfully implemented environmental management systems (EMS), highlight the benefits that were achieved, identify the support that EPA and others are providing to help local governments adopt EMSs, and identify the role that

senior level managers have played in the EMS implementation process. <http://www.lgean.org/html/training>

Grants Wastewater/Stormwater

The EPA is now accepting proposals for projects to be funded by the Water Quality Cooperative Agreement allocation. These projects advance the state of knowledge, gather information, or transfer information. Research projects may include the application of established practices when they contribute to learning about an environmental concept or problem. Proposals are due by April 22, 2005. More: http://www.epa.gov/owm/wqca/2005_final.pdf

Lead in Drinking Water

EPA has announced that it is initiating a Drinking Water Lead Reduction Plan, which will require utilities, states, schools and child care facilities to conduct stricter monitoring and reporting of problems with lead in drinking water. Under the plan, utilities would have to notify states at least 60 days before making changes in treatment and better control corrosion in pipes. Utilities would also have to notify residents of any testing within a home or facility. For info: contact John Millett 202/564-7842

Water Quality Database

The EPA Office of Water has released the first-ever interactive database of state water quality assessment data, which provides the public with easy Web access to water quality information at the state and local levels. This initial Web release of the 2002 National Water Quality Database

summarizes electronic data for 32 States. The remaining states should be added soon. More:

<http://www.epa.gov/305b/2002report>

Clean Energy Web Site

EPA has created a new section of its clean energy Web site devoted to state and local clean energy programs. The new area of the site describes how EPA supports state and local governments in their clean energy efforts, and gives an overview of clean energy activities at the state and local levels. It provides links to clean energy resources for state and local governments, including funding opportunities, useful Web sites, and more. More:

<http://www.epa.gov/cleanenergy/stateandlocal/partners.htm>

Online Decision-making

In partnership with EPA Region 5 and Purdue University, the Local Government Environmental Assistance Network (LGEAN) launched an online tool to help local government planners measure the water quality impacts of land use changes. Based on community specific climate data, the online tool estimates changes in recharge, runoff, and nonpoint source pollution resulting from proposed development. <http://www.lgean.org/html/exchange.cfm>

Watershed Grants

The Targeted Watersheds Grant Program is a relatively new EPA program designed to encourage successful community-based approaches and management techniques to protect and restore the nation's waters. The watershed organizations receiving grants this year exhibited strong partnerships

with a wide variety of support; creative, socio-economic approaches to water restoration and protection; and explicit monitoring and environmentally-based performance measures. More:

<http://www.epa.gov/owow/watershed/initiative>

NPDES Profiles

The EPA recently made available individual profiles documenting the operation of National Pollutant Discharge Elimination System (NPDES) permit programs in each of 33 states. The agency developed the profiles in cooperation with each state as part of its Permitting for Environmental Results (PER) program, a comprehensive assessment designed to improve NPDES permit programs nationwide, according to an EPA press statement. Profiles for programs in the remaining states are scheduled to be released early this year.

According to the statement, EPA under the PER program is seeking to: ●Ensure that NPDES program officials have the information and tools necessary for issuing effective permits; ●enable states to share information and develop the tools needed to streamline the permitting process for each watershed; and ●identify, prioritize, and reissue "environmentally significant permits".

As part of the PER program efforts, EPA plans to develop a formal NPDES management system "to ensure consistent quality and effectiveness across all NPDES programs," the press statement says. More: <http://cfpub.epa.gov/npdes/per.cfm>

Tribal Air

After more than two years of development and efforts by a limited but vocal group of opponents to stop or delay the program, 39 tribes in Region 10 (excluding Alaskan tribes) will soon be utilizing U.S. EPA-enforced, minor-source air rules similar to those of surrounding nontribal jurisdictions.

"Air Quality Rules for Idaho, Oregon and Washington Indian Reservations" are slated to be enacted in the spring of 2005. The rules stem from the 1990 Amendments of the Clean Air Act that authorized EPA to manage air quality on reservations until tribes can develop management capacity. Major sources on tribal lands have long been overseen by federal regulators, but until these rules become operative, minor sources will have fallen through a regulatory gap that has, in essence, relied on volunteer compliance by businesses and individuals. (Some sources have been regulated by state and local authorities who, under the CAA, actually had no federal authorization to do so).

The new rules will address particulate matter, sulfur dioxide, and opacity, and will include "Infrastructural Rules." Those rules provide the means for enacting air management programs within tribal boundaries and grant certain authorities to EPA, such as the power to call for "burn bans" during periods of heavy pollution.

Air Mercury Rule

On March 15, 2005, EPA issued the Clean Air Mercury Rule to permanently cap and reduce mercury emissions from coal-fired power plants for the first time ever. This rule makes the United States

the first country in the world to regulate mercury emissions from utilities.

On March 10, 2005, in a separate but related action, EPA issued the Clean Air Interstate Rule (CAIR), a rule that will dramatically reduce air pollution that moves across state boundaries.

Together the Clean Air Mercury Rule and the Clean Air Interstate Rule create a multi-pollutant strategy to reduce emissions throughout the United States.

Environmental Webcast

The International City/County Management Association (ICMA) and the American Public Works Association (APWA), in cooperation with EPA, will host a webcast, "Environmental Management Systems: A Powerful Tool to Help Local Government Managers and Public Works Directors Minimize Environmental Liability, Increase Efficiency, and Improve Financial Health," on April 12, 2005. The webcast will take place from 2:00 p.m. to 3:30 p.m. Eastern, and will showcase local governments that have successfully implemented environmental management systems (EMS), highlight the benefits that were achieved, identify the support that EPA and others are providing to help local governments adopt EMSs, and identify the role that senior level managers have played in the EMS implementation. <http://www.lgean.org/html/training>

EPA Toolkit SEPs

EPA's State and Local Capacity Building Branch is pleased to announce the publication of a new toolkit to help state and local governments pursue energy

efficiency or renewable energy projects through enforcement settlements. The toolkit presents the case for pursuing energy efficiency and renewable energy within settlements, provides examples in which SEPs have been used to support such projects, offers additional ideas for projects, and includes a step-by-step regulatory "road map" for pursuing SEPs.

<http://www.lgean.org/html/whatsnew.cfm?id=874>

Toxic Chloramine

Ann Lagoy was cleaning a shower when she began to feel dizzy. The **bleach** she was using reacted with an **ammonia** residue from a prior cleaning to produce toxic chloramine gas. This is one of the worst gases you can come in contact with.

(CWA 104(b)(3))

The FY 2005 Water Quality Cooperative Agreement Request for Proposals overview has been posted at the following site:

<http://www.epa.gov/owm/wqca/2005.htm> with a link to the full announcement at: http://www.epa.gov/owm/wqca/2005_final.pdf. Info: Barry R. Benroth, Phone 202/564-0672

NOx Air Quality Standards

EPA has proposed three regulatory options to maintain air quality in areas that meet national air quality standards for nitrogen dioxide (NO₂). The three proposed regulatory options are: 1) To retain the existing increments NO_x measured as nitrogen dioxide (NO₂) in the ambient air as established in October 1988; 2) To allow states that choose to implement an interstate cap and trade program for sources of NO_x

to rely on the benefits of that program in place of the existing increments to prevent significant deterioration of NO₂ air quality; or 3) To allow states to adopt their own planning strategies and implement these in lieu of the NO₂ increment system. EPA is accepting comments on the options until April 14, 2005. <http://www.epa.gov/nsr/actions.html>

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Pollution Drift

Mercury from China, dust from Africa, smog from Mexico - all of it drifts freely across U. S. borders and contaminates the air millions of American breathe, according to recent research from Harvard University, the University of Washington and many other institutions where scientists are studying air pollution. There are no boundaries in the sky to stop such pollution, no Border Patrol agents to capture it.

Pollution wafting into the USA accounts for 30% of the nation's ozone, an important component of smog, says David Parrish of the National Oceanic and Atmospheric

Administration. By the year 2020, Harvard University's Daniel Jacob says, imported pollution will be the primary factor degrading visibility in our national parks.

While the United States is cutting its own emissions, some nations, especially China, are belching out more and more dirty air. As a result, overseas pollution could partly cancel out the improvements in U.S. air quality that have cost billions of dollars.

Almost every place in the USA has suffered from the effects of imported air pollution, at least occasionally. Some of the most serious impacts:

- Mercury emitted by power plants and factories in China, Korea and other parts of Asia wafts over the USA and settles in the nation's lakes and streams, where it contributes to pollution that makes fish unsafe to eat.

- Dust from Africa's Sahara Desert blows across the Atlantic Ocean and helps raise particle levels above federal health standards in Miami and other Southern Cities.

- Haze and ozone from factories, power plants and fires in Asia and Mexico infiltrate wilderness spots such as California's Sequoia National Park and Texas' Big Bend National Park, clouding views and making the air less healthy.

Scientists who study air quality have long known that air pollution seeps into the USA from abroad. But only recently have they realized that the problem has an enormous reach.

Burn Barrels

According to EPA, dioxins, a group of highly toxic chemicals, are produced when waste of any type is burned. After years of technological improvements to large municipal waste incinerators

and other industrial plants, backyard burning is now the "largest quantified source of dioxin emissions" in the nation.

Burn barrels, with their low temperatures and lack of controls, are far more polluting than large incinerators. One federal study found that a few dozen burn barrels could produce the same amount of dioxins and related compounds as a 200-ton-a-day modern incinerator serving tens of thousands of households.

The potential hazards of those pollutants can travel far beyond mountain hamlets and farm communities. Dioxins, which can cause cancer and disrupt reproduction and development, penetrate the food chain by settling on the plants that meat and dairy animals eat. Farms are the worst possible locations for open burning.