EPA Region 6 Update Regarding Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA)

OKLAHOMA TRIBAL NATIONS REQUEST FOR MEETING

EPA received a letter dated March 3, 2021 from sixteen Oklahoma tribal nations through the Oklahoma Indian Gaming Association requesting a meeting with the Administrator regarding EPA's October 1, 2020 decision that grants the State of Oklahoma authority over a wide range of federal environmental regulatory programs in certain areas of Indian country pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA). EPA will continue to provide updates to Oklahoma Tribal Nations and the RTOC as they are available regarding any future meetings or conversations based on the October 1 approval.

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EPA Region 6 Updates Regarding Los Alamos National Laboratory

RCRA FACILITY UPDATES

Los Alamos National Laboratory Hexavalent Chromium Groundwater Plume, New Mexico: Potassium dichromate was used in the cooling tower at the Los Alamos National Laboratory (LANL) Technical Area 3 backup power plant from 1956 to 1972. It is estimated that up to 72,500 kg of hexavalent chromium cooling water from the power-plant was discharged into Sandia Canyon. The discharged water traveled perennially downstream approximately two miles to an infiltration point in Sandia Canyon. The chromium-tainted water migrated downward and contaminated the regional aquifer at a depth of approximately 1000 feet below ground surface. The plume size is approximately 1.2 miles long and 0.5 miles wide with a maximum concentration of about 1,200 ppb. One Los Alamos County drinking-water production well PM-3 is located just outside the eastern plume boundary and is closely monitored by the New Mexico Environment Department and LANL. Three other production wells are located southwest of the chromium plume and are also closely monitored. Chromium has been detected in a nearby monitoring well on Pueblo de San Ildefonso (4.30 ppb) at concentrations near the regional Cr background concentration (4.60 to 7.48 ppb). The New Mexico water Quality Control Commission standard for chromium is 50 ppb. An Interim Measures (IM) plume control project was implemented by LANL in 2018 consisting of five extraction wells and five injection wells. Semi-annual status reports are submitted to NMED for the IM. In addition, pilot-scale in-situ remediation testing using chemical amendments was conducted within the plume area at two wells in 2017 and LANL is monitoring the effectiveness of the amendments. An additional monitoring well was installed in May 2019 in the northeast portion of the plume toward the production well. This well is being sampled monthly starting in August 2020 and has chromium concentrations that exceed the standard. LANL is conducting an aquifer assessment around this well to further characterize the northeast portion of the chromium plume in the vicinity of the production well, the assessment report is due to NMED by July 2021. NMED is requiring additional monitoring wells to delineate the plume to the northwest, southwest and northeast. A Corrective Measures Evaluation for the chromium plume that was due in September 2021 may be postponed to first complete characterization of the plume. ***Laurie King, 214-665-6771***

NPDES PERMIT UPDATES

LOS ALAMOS NATIONAL LABORATORY (LANL) PERMITS (UPDATED: MARCH 2021)

EPA is reviewing comments received on the Stormwater Permit and reopened the comment period on specific issues regarding the Wastewater Permit. New Mexico CWA 401 Certification of both permits has been challenged at the State level by LANL EPA is reviewing comments and working on final permits. ***Ruben Alayon-Gonzalez, 214-665-2785***

LOS ALAMOS COUNTY MUNICIPAL SEPARATE STORM SEWER (MS4) DESIGNATION (UPDATED: MARCH 2021)

Municipal Separate Storm Sewer Systems (MS4s) in Los Alamos County, NM owned by Los Alamos Nation Laboratory (LANL), Los Alamos County (Los Alamos Townsite within the

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Census designated Urban Cluster), and the New Mexico Department of Transportation (within LANL or Urban Cluster) , NM were designated December 16, 2019, as needing MS4 permits to protect water quality. The designation was challenged by Los Alamos County and the case is pending. EPA is working with Stakeholders on development of a strawman general permit that would lead to a draft permit to propose late spring-early summer 2021. EPA will be offering Tribal Consultation on the permit to affected tribal partners. ***Ruben Alayon-Gonzalez, 214-665-2785***

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Water Division

CWA REGULATIONS

WATERS OF THE UNITED STATES (UPDATED MARCH 2021)
On February 28, 2017, Executive Order (E.O.) 13778 was issued, "Restoring the Rule of Law, Federalism, and Economic Growth by reviewing the 'Waters of the United States' Rule". It directed EPA and the Army Corps of Engineers to review the final Clean Water Rule published in 2015, and then publish for notice and comment a proposed rule rescinding or revising the rule. To meet the objectives of the E.O. the agencies took a two-step approach:

1. an initial rulemaking to rescind the 2015 rule and reinstate the regulatory approach that has been in place for decades, and thus maintains the status quo; and

2. a rulemaking to revise the definition of waters of the U.S. consistent with direction in the E.O.

The agencies took actions consistent with the E.O. under this two-step approach:

Step 1: The Step One proposed rule: Definition of "Waters of the United States"(WOTUS) – Recodification of Pre-existing Rules, was published for public comment in the Federal Register on July 27, 2017, and the comment period closed on September 27, 2017. There was a supplemental comment period as well that closed July 12, 2018. Over 800,000 comments were received by the agencies, and comments were posted to the docket, which can be accessed at [HYPERLINK "http://www.regulations.gov/" \h], docket number EPA-HQ-OW-2017-0203-0001.

On October 22, 2019, EPA published the final the Step 1 Rule officially rescinding the 2015 Clean Water Rule. This ended the fractured national map as to which states are under the 2015 Clean Water Rule and which were not due to several District Court decisions through 2018. This also established a 2019 rule that took effect December 23, 2019. The 2019 rule based from the 2003 and 2008 agency guidance interpreting that definition in light of the *SWANCC* and *Rapanos* Supreme Court decisions.

Step 2: Per EPA policy, we initiated consultation with tribal governments on April 20, 2017 regarding the new definition to be developed under Step 2. The agencies held a series of meetings with various groups as part of the consultation processes and have posted for public review each of the letters received as part of the consultation processes. Letters received from tribes and states are posted on the EPA WOTUS Rule website under "Rulemaking Process". On December 11, 2018, EPA and the Army signed a proposed rule providing a new definition of "waters of the United States" that clarifies federal authority under the Clean Water Act while respecting the role of states and tribes in managing their own land and water resources. The proposed rule was published in the federal register February 14, 2019 with a 60 day comment period [Docket ID No. EPA-HQ-OW-2018-0149]. Therefore, April 15 was the due date to provide comments. EPA received 620,000 comments. There were a series of meeting with tribes and states on the proposed rule.

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In those succeeding months EPA developed responses to the public comments and developed a final version of the WOTUS and coordinating with the Army to implement. April 21, 2020 EPA and the Army published the final version of the rule, now named the Navigable Waters Protection Rule (NWPR). The NWPR became final June 22, 2020. The NWPR defines four types of waters as WOTUS: Traditional Navigable Waters and Territorial seas, perennial and intermittent streams, lakes-ponds-impoundments, and adjacent wetlands. It also lists 12 types of waterbodies that are excluded.

Current Status:
EPA is participating on Army Corps of Engineer Division Implementation Teams. EPA has organized internal workgroups to map jurisdictional waters, for cross agency coordination, headquarters coordination, and plans for training. Since the NWPR took effect there are numerous legal challenges that have been filed. With the change of administrations, new leadership is reviewing the NWPR.

More information about the Waters of the U.S. Rulemaking can be found at [HYPERLINK "https://www.epa.gov/nwpr" \h]
Randy Rush, 214-665-7107

TRIBAL FUNDING

WATER INFRASTRUCTURE IMPROVEMENTS FOR THE NATION (WIIN) ACT (UPDATED: MARCH 2021)
Region 6 is working with EPA Headquarters to award a grant to the Inter-Tribal Council of Arizona Consortia that will support and provide lead testing in school and child care facilities for the Region 9 tribes and Pueblos in New Mexico. In addition, Region 6 will work closely with Region 4 providing technical support to the United South and Eastern Tribe (USET) Consortia. The USET grant will provide the testing to tribes in Louisiana and Texas. The grants are being funded with Fiscal Year 2018, 2019 and 2020 allocations nationwide and are proposed for award before September 30, 2021. Region 6 will work closely with both Region 4 and 9 in its coordination on the testing of the schools and child care facilities. **Anisa Pjetrovic; 214-665-6446,** ***Salvador Gandara, 214-665-3194***

TRIBAL CLEAN WATER ACT (CWA) 106 AND 319(h) APPLICATION DUE DATES FOR FY 2021 (UPDATED: MARCH 2021)
The Tribal CWA 319(h) grant applications were due on February 26, 2021, and the tribal CWA 106 grant applications were due on March 5, 2021. All applications were required to be submitted through grants.gov. ***Sam Reynolds 214-665-6682***

CLEAN WATER ACT (CWA) SECTION 106 TRIBAL GUIDANCE REVISION: (NEW: MARCH 2021) EPA is revising the CWA Section 106 Tribal Guidance. The guidance was issued in Fiscal Year (FY) 2007 and is the primary tool for tribal Section 106 grant recipients to use in developing their programs. The guidance needs to be updated to reflect changes in the program and improve the usefulness of the document. EPA's workgroup began meeting in

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summer 2020 to plan how to structure the revised guidance. In January 2021, EPA sent a request for consultation with tribes on the proposed structure of the guidance. This first comment period ended March 15, 2021. EPA will conduct a second round of consultation in mid-to-late 2021 for tribes to comment on the revised guidance. ***Kara Alexander, 214-665-7312***

TREATMENT AS A STATE (TAS) FOR CWA 319(h) AND CWA 106 (UPDATED: MARCH 2021)
CWA 106 and 319(h) Treatment In A Manner Similar To A State (TAS) applications are due by April 30 2021. The TAS 106 and 319(h) approved applications allow tribes to receive funding and implement water quality and nonpoint source pollution programs. Several tribes have inquired about the TAS process and are working on their applications. ***Sam Reynolds 214-665-6682***

STATE REVOLVING FUNDS TRIBAL SET-ASIDES (UPDATED: MARCH 2021)
The Clean Water Indian Set Aside (CWISA) and the Drinking Water Tribal Set Aside (DWTSA) Grant Programs are in the project selection process for Fiscal Year 2021 funds. Project selection is expected to be completed during third quarter Fiscal Year 2021 with awards before September 30, 2021. ***Gilbert Tellez, 915-533-7273; Salvador Gandara, 214-665-3194***

WETLAND PROGRAM DEVELOPMENT GRANTS (UPDATED-MARCH 2021)
Wetland Program Development Grants (WPDG) are competitive grants that are part of the EPA Enhancing State and Tribal Programs (ESTP) effort. The ESTP and Core Elements Framework were designed for state and tribal wetland programs that are in the developing stages but can be useful to all states and tribes, including those that are refining more mature wetland programs. Funds from these grants can be used to develop and implement a Wetlands Program Plan (WPP). The Core Elements Framework (CEF) outlines the 4 core elements a WPP may include, which are: Monitoring and Assessment, Regulatory Activities including 401 Certification, Voluntary Restoration and Protection, and Water Quality Standards for Wetlands. The development of a WPP allows states and tribes to implement the CEF based on their individual program goals and available resources.

Ten percent of the total national WPDG funds are set aside for a national tribal-only competition (about $1.3 million per year). Tribes may apply to both Requests for Applications (RFA) with the same or different proposals. The RFAs are very similar in requirements and selection criteria. The tribal-only RFA is a two-year cycle starting in FY2020. Headquarters posted the FY2020/2021 RFA on November 2, 2020. Applications were due January 15, 2021. For additional information on the solicitation please see: [HYPERLINK "https://www.epa.gov/wetlands/tribal-wetland-program-development-grant-request-applications" \h] or contact Myra Price at [HYPERLINK "mailto:price.myra@epa.gov" \h].

The Region 6 solicitation is on a two- year cycle. Region 6 hopes to release the FY 2021/2022 notice in the third quarter of FY 2021. For more information, please see [HYPERLINK "https://www.epa.gov/wetlands/wetland-program-development-grants" \h] and https://www.epa.gov/wetlands/what-enhancing-state-and-tribal-programs-effort
Wanda Boyd, 214-665-6696; Sondra McDonald, 214-665-7187

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NPDES PERMITS

TEXAS NPDES PARTIAL PROGRAM AUTHORIZATION (NEW MARCH 2021)
On Friday January 15, 2021, the EPA approved the State of Texas' request for Partial NPDES Program authorization for oil and gas discharges. The Governor of Texas, Gregg Abbott, submitted the request seeking program authorization October 12, 2020. The TCEQ's pursuit of the authorization is in response to House Bill 2771, that transferred jurisdiction for permitting of oil and gas, produced water, hydrostatic test water, effluent from the Railroad Commission to the TCEQ. The EPA initiated a 45-day comment period (which ended on January 11, 2021) by publishing a notice in the federal Register November 27, 2020. The EPA held a virtual public meeting and a public hearing, January 5, 2021. The EPA received 156 written comments, of those received, 130 were of similar and/or identical in nature of concern (disapproval of the request for authorization and a request to extend the comment period). Comments received were from representatives of the following organizations: The Texas Alliance of Energy Producers, Environmental Defense Fund, Sierra Club Lone Star Chapter, Bay Coastal Watch Association, Audubon Texas, Pioneer Natural Resources USA, Inc., Texas Independent Producers and Royalty Owners Association, and private citizens of local communities. The majority of the comments were disapprovals for the request for authorization. The EPA continues to coordinate with the TCEQ during the transitional process. ***Kilty Baskins 214-665-7500***

STATUS OF NPDES PERMITS EPA PROCESSING FOR RENEWAL IN FY 21 AND FY 22 (UPDATED: MARCH 2021)

NPDES permits processing for renewal in 2021/2022 (all in NM except where indicated) include:

SOCORRO, CITY OF
GCC RIO GRANDE, INC.
SANDIA PEAK SKI CO-SANDIA PEAK
RIO RANCHO, CITY OF
BERNALILLO, CITY OF
RIO RANCHO, CITY OF
SANTA FE, CITY OF (AIRPORT RD
AZTEC, CITY OF-BACK/WTP
RATON, CITY OF - WATER FILTRATION FACILITY
COUSHATTA CASINO RESORT WWTP (LA)
TRUTH OR CONSEQUENCES, CITY OF
SANTA ROSA, CITY OF (MAIN STP)
RIO GRANDE RESOURCES CORP.
LAC MINERALS (USA) LLC
RIO PUERCO WWTP
FARMINGTON, CITY OF (WWTP)
CASA BLANCA WWTP
LOS ALAMOS COUNTY (WHITE ROCK)

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CHITIMACHA TRIBE OF LOUISIANA- (LA)
LOS ALAMOS COUNTY - BAYO WWTP
CDS RAINMAKERS UTILITIES, LLC
RED RIVER AWWT, TOWN OF
LAS VEGAS, CITY OF (SOUTH EAST
OSHARA VILLAGE WRF
ABIQUIU, CITY OF
RUIDOSO-RUIDOSO DOWNS WWTP-LIN
LAS VEGAS, CITY OF
CLOUDCROFT, VILLAGE OF
MORA MUTUAL WATER AND SEWER WORKS ASSOCIATION
VILLAGE OF CHAMA, WWTP
GLENPOOL PIPELINE BREAKOUT STATION (OK)

Tribal consultation will be available to the affected tribal partners. ***Brent Larsen, 214-665-7523***

DRINKING WATER

LEAD AND COPPER RULE REVISIONS (NEW: MARCH 2021)

U.S. EPA's first major update to the Lead and Copper Rule was finalized on December 22, 2020. The revised Rule aims to strengthen the LCR through updates including a new lower trigger level of 10 ppb of lead for requiring corrosion control study, increased requirements to identify and replace lead service lines, new sampling protocols which include follow-up sampling and find-and-fix protocols for lead action level exceedances at individual home sites, and additional sampling for schools and child care facilities to better protect children in these facilities from lead exposure. On March 10, 2021, the EPA announced that it is extending the effective date of the Revised LCR so that the agency can seek further public input, especially from communities that are most at-risk for lead exposure in drinking water. The first action is a final rule that would extend the effective date for the revised LCR from Match 16, 2021 to June 17, 2021 to take public comment on a second action, and for the agency to undertake its review of the rule in a deliberate and thorough manner. The second action would provide a longer extension of the effective date, to December 16, 2021 and also extend the Rule's compliance deadline to September 16, 2024. EPA is seeking public comment on this proposal 30 days after it is published in the Federal Register. For more information, visit [HYPERLINK "http://www.epa.gov/safewater" \h]. ***Alison Fontenot, 214-665-7482***

OTHER INFORMATION

NATIONAL AQUATIC RESOURCE SURVEYS (NEW: MARCH 2021)

EPA is pleased to announce the release of the second National Rivers and Streams Assessment (NRSA) Report, one of four National Aquatic Resource Surveys, along with supporting documents and data. The report, technical support document, results dashboard, and data files are available at: [HYPERLINK "https://www.epa.gov/national-aquatic-resource-surveys" \h]. The fish tissue data are available at [HYPERLINK "https://www.epa.gov/fish-tech/2013-2014-national-rivers-and-streams-assessment-fish-tissue-study" \h]. ***Robert Cook, 214-665-7141***

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RISK COMMUNICATION FOR FISH ADVISORY PROGRAMS (NEW: MARCH 2021)
States, territories, and tribes issue fish advisories to educate target audiences (e.g., pregnant women, young children) to choose fish wisely when eating fish. While consuming fish has health benefits, limiting the amount of fish with high contaminant levels will help avoid negative health effects. Advisories are often issued for specific pollutants in specific species for specific waterbodies and/or on a statewide basis. EPA's fish advisory program has a set of 4 volumes to help states and tribes develop and implement fish advisory programs called *Guidance for Assessing Chemical Contaminant Data for Use in Fish Advisories* located at [HYPERLINK "https://www.epa.gov/fish-tech/epa-guidance-developing-fish-advisories"]. Volume 4, *Risk Communication*, covers how to develop a risk communication program. It was last updated in 1995, and that version did not include modern communication mechanisms like the Internet and social media. Volume 4 has been updated to be more user-friendly and is now in the form of interactive webpages at [HYPERLINK "https://www.epa.gov/fish-tech/develop-risk-communication-programs-fish-and-shellfish-consumption-advisories"]. ***Diane Evans, 214-665-6677; Jasmin Diaz-Lopez, 214-665-2733***

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Air and Radiation Division

Treatment as a State (TAS) for the Clean Air Act (CAA)

Region 6 has no CAA TAS applications currently. Cherokee Nation, Kaw Nation, Peoria Tribe of Indians of Oklahoma, Pueblo of Laguna, Pueblo of Santa Ana, Pueblo of Zia, and Quapaw Nation have received approval for two or more of the following CAA authorities:

- **CAA §105** allows the Tribal applicant to apply for a reduced match of 5%, when managing a programmatic grant;
- **CAA §107(d)(3)** to receive notices from the EPA of the need for redesignation of an area or portion of an area within the Tribe's trust parcels for which it receives TAS authorization;
- **CAA §126** (a) and (b) to receive written notices of the construction of new or modified major stationary sources and of existing major stationary sources which may significantly contribute to levels of air pollution in excess of the national ambient air quality standards in any air quality control region outside the State in which such source intends to locate (or make such modification); and petition the EPA for a finding that any major source or group of stationary sources emits or would emit any air pollutant in violation of the applicable state implementation plan; and
- **CAA §505(a)(2)** for the purpose of giving the Tribe an opportunity to make comments and recommendations on operating permit applications for sources located within 50 miles of the Tribe's trust lands and parcels for which it receives TAS authorization. ***Frances Verhalen, 214-665-2172.***

Funding and Grants

For FY2021, the EPA Region 6 expects to receive approximately $1,200,000 in federal funding to support assistance agreements under statutory provisions of the CAA §103 and §105. On November 23, 2020, a funding announcement was sent to all Tribal entities. As a result, 13 proposals were received requesting support in the amount of $1,493,970. The Region's internal review process was initiated on March 8th. Award determinations will be made by April 30th and applicants will be notified, via email, by May 7th. ***Aunjaneè Gautreaux, 214-665-7127.***

Regulations/Guidance/Upcoming Requirements

Affordable Clean Energy (ACE) Rule: On January 19, 2021, the D.C. Circuit issued an opinion vacating ACE and remanding it to the EPA for further proceedings consistent with its opinion. In the same opinion, the court also vacated the amendments to the implementing regulations that extended the compliance timelines for CAA §111(d) plans. On February 12, 2021, the EPA Office of Air and Radiation (OAR) issued a memorandum on the status of ACE and the Clean Power Plan (CPP). The memo clarifies that the EPA interprets the January 19, 2021 D.C. Circuit court decision vacating the ACE rule to mean (1) neither ACE or CPP is in effect and (2) states have no obligations to provide state plans under ACE or CPP. The memo provides that states are not expected to take any further action to develop and submit

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plans under CAA §111(d) with respect to greenhouse gas (GHGs) emissions from EGUs at this time. For a copy of the memo, please see [HYPERLINK "https://www.epa.gov/stationary-sources-air-pollution/memorandum-status-affordable-clean-energy-rule-and-clean-power-plan" \h]

Guidebook for Energy Efficiency (EE) Evaluation, Measurement, and Verification (EM&V): In June, 2019, the EPA released the Guidebook for Energy Efficiency Evaluation, Measurement, and Verification that draws from and builds on decades of state, local, and private-sector experience quantifying and verifying savings from energy efficiency projects and measures. The EM&V Guidebook is designed to help state, local, and tribal air and energy officials-as well as key stakeholders such as utility energy efficiency implementers-learn about, establish, or refine their EM&V approaches. The EM&V Guidebook can also help air officials understand the basics of EM&V and work with their energy counterparts to capture the air quality and public health benefits of these existing investments. The guidebook is also designed to:

- Describe key EM&V topics, methods, and approaches
- Ensure that customer-funded EE policies and programs are achieving intended results in a cost-effective manner
- Ensure that EM&V is carried out in a well-documented, rigorous, and consistent manner

The EM&V Guidebook may also help jurisdictions who want to collaborate on air and energy goals, evaluate the resulting air and energy impacts, and plan new policies and programs.

Amendment to the Oil and Gas FIP regulations in Indian Country: EPA issued the final rule titled "Amendments to Federal Implementation Plan for Managing Air Emissions From True Minor Sources in Indian Country in the Oil and Natural Gas Production and Natural Gas Processing Segments of the Oil and Natural Gas Sector, " 85 Federal Register 15,729 on March 19, 2020 , effective date was on May 18,2020. Specifically, the rule allows for concurrent, rather than sequential, submission of two sets of documents:

(1) the Part 1 Form to register applicability under the FIP, and
(2) the screening procedures documentation for ESA and NHPA.

This final rule could reduce, by up to 30 days, the time between a source owner/operator's required submission of Endangered Species Act (ESA)/National Historic Preservation Act (NHPA) screening documents and beginning construction.

In addition, the final rule includes email as an optional form of written notification by the EPA Regional Office to the source owner/operator and corrects several incorrect citations and cross references. Please refer to https://www.epa.gov/tribal-air/final-amendments-federal-implementation-plan-managing-air-emissions-true-minor-sourcesfor additional information.

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Project Emissions Accounting Rule for NSR applicability: On August 9, 2019, the EPA proposed a revision to certain New Source Review (NSR) applicability regulations to clarify the requirements that apply to sources proposing to undertake a physical or operational change (i.e. a project) under the NSR preconstruction permitting program.
EPA issued the final rule titled "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Project Emissions Accounting," 85 Fed. Reg. 74,890 on November 24, 2020. Specifically, this rule revises the NSR applicability regulations that apply to projects that include a combination of new and existing units clarifying that project emissions accounting is allowed as part of Step 1 of the two-step NSR major applicability test. On January 19, 2021 and January 21, 2021, States of New Jersey, Maryland, Minnesota, Oregon, Washington, Commonwealth of Massachusetts and Pennsylvania and District of Columbia, Sierra Club, Environmental Defense Fund, Natural Resources Defense Council, Adirondack Council and Environmental Integrity Project petitioned EPA for reconsideration of the rule. Petitioners requested a stay of the rule during the reconsideration for 90 days and a withdrawal within the 90 day stay period. Also, the petitioners requested that EPA immediately withdraw the memorandum issued by former Administrator Scott Pruitt on March 13, 2018 titled "Project Emissions Accounting Under the New Source Review Preconstruction Permitting Program" ("Pruitt Memo"). It should be noted that at this time there are no major NSR permitted sources operating on tribal lands in Region 6. For additional information please refer to: [HYPERLINK "https://www.epa.gov/nsr/project-emissions-accounting-2" \h]

Revisions to the Once-In-Always-In Regulation for MACT sources: This rule was signed on October 1,2020, and will be effective 60 days after publication in the Federal Register. On June 25, 2019, the EPA proposed regulatory text stating that a major source of hazardous air pollutants (HAP) may reclassify as an area source at any time after taking steps to limit emissions. A major source of HAP emits 10 tons per year or more of a single HAP or 25 tons per year or more of a combination of HAPs. Sources that are above major source thresholds and reduce emissions or currently operate to levels below major source thresholds can put in place enforceable emissions limits in a permit and thereby become an area source. In accordance with Executive Order: "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis" issued on January 21, 2021, this rule is under review. For additional information please refer to [HYPERLINK "https://www.epa.gov/stationary-sources-air-pollution/reclassification-major-sources-area-sources-under-section-112-clean"] ***Erica LeDoux, 214-665-7265.***

March 11, 2020 – Final New Source Performance Standards (NSPS) for New Residential Wood Heaters and New Residential Hydronic Heaters and Forced-Air Furnaces. (Step 1): This rule amends the 2015 NSPS by removing certain minimum requirements for pellet fuels and clarifying a requirement regarding the use of unseasoned wood in pellet fuel production. However, on May 15, 2020, the EPA proposed amendments to the 2015 NSPS for *New Residential Wood Heaters and New Residential Hydronic Heaters and Forced-Air Furnaces* to allow more time for

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retailers to continue selling Step 1-certified residential wood heating devices, due to the nationwide spread of the COVID-19 virus.

The EPA accepted comments on the proposed amendments for 45 days after publication in the Federal Register. On June 8, 2020, the EPA held a virtual public hearing via teleconference on the proposed amendments to the 2015 New Source Performance Standards (NSPS) for New Residential Wood Heaters and New Residential Hydronic Heaters and Forced-Air Furnaces. Response to comments and publication of the finalization of the amendments have not yet been published. Additional information on this NSPS can be found here: [HYPERLINK "https://www.epa.gov/residential-wood-heaters"].

NSR Guidance/Interpretation Concerning "Begin Actual Construction"
This guidance memorandum addresses how the EPA interprets "begin actual construction" as that term is defined under the EPA regulations implementing the major New Source Review (NSR) permitting program and the tribal minor NSR program (40 CFR 49.152). The EPA recognizes that the interpretation at issue was a long-standing one, and is clarifying and revising its interpretation that a source owner or operator may, prior to obtaining an NSR permit, undertake physical on-site activities - including activities that may be costly, that may significantly alter the site, and/or are permanent in nature - provided that those activities do not constitute physical construction on an emissions unit, as the term is defined in 40 CFR § 52.21(b)(7). Further, under this revised interpretation, an "installation necessary to accommodate" the emissions unit at issue is not considered part of that emissions unit, and those construction activities that may involve such "accommodating installations" may be undertaken in advance of the source owner or operator obtaining a major NSR permit. The EPA accepted comments on this draft guidance through Monday, May 11, 2020. The EPA is currently considering those comments. The complete document is available at: [HYPERLINK "https://www.epa.gov/sites/production/files/2020-3/documents/begin_actual_construction_032520_2.pdf" \h] [HYPERLINK "https://www.epa.gov/sites/production/files/2020-3/documents/begin_actual_construction_032520_2.pdf" \h]

EPA Proposed Rules to Formalize Guidance documents:
On May 19, 2020, in an effort to curtail the growth in guidance documents, the EPA proposed new rules to formalize the guidance process that has been used to interpret the EPA's rules and the EPA's petition and court orders. This proposal resulted from an Executive Order 13891 "Promoting the Rule of Law Through Improved Agency Guidance Documents" signed by Former President Trump on October 9, 2019. Among other things, the Executive Order directed federal agencies to make active guidance documents available via an online guidance document portal. However, Executive Order 13891 has been revoked by President Biden. Guidance that was compiled as part of the proposed rule was placed in a web portal that can be searched here: [HYPERLINK "https://www.epa.gov/guidance"].

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40 CFR 60 Subpart OOOOa: Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review: On September 15, 2020, the EPA published the final rule regarding the Oil and Natural Gas Sector Emission Standards for New, Reconstructed, and Modified Sources Review. This action reconsidered amendments to the new source performance standards (NSPS). These amendments removed sources in the transmission and storage segment from the source category, and rescinded the NSPS (including both the volatile organic compounds (VOC) and methane requirements) applicable to those sources, and rescinded the methane-specific requirements the (''methane requirements'') of the NSPS applicable to sources in the production and processing segments.

In consideration of the January 20, 2021 Executive Order (EO) on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, EPA has been instructed to consider proposing:

- By September 2021, a rulemaking to reduce methane emissions in the O&G sector by suspending, revising, or rescinding previously issued new source performance standards (NSPS).
- By September 2021, new regulations to establish comprehensive standards of performance and emission guidelines (EG) for methane and VOC emissions from existing operations in the O&G sector, including the exploration and production, transmission, processing, and storage segments.
- By January 2022, a Federal Implementation Plan (FIP) in accordance with EPA's "Findings of Failure To Submit State Implementation Plan Revisions in Response to the 2016 Oil and Natural Gas Industry Control Techniques Guidelines (CTG) for the 2008 Ozone National Ambient Air Quality Standards and for States in the Ozone Transport Region."

The current federal regulation can be found at: [HYPERLINK "https://www.federalregister.gov/documents/2020/09/15/2020-18115/oil-and-natural-gas-sector-emission-standards-for-new-reconstructed-and-modified-sources" \h].

Taimur Shaikh, 214-665-6541.

Regional Haze SIPs for the Second Planning Period: States are required to submit periodic SIP revisions to address visibility impairment in certain national parks and wilderness areas (Class I areas) with the national visibility goal of restoring natural visibility conditions to these Class I areas by 2064. The SIP revisions for the second planning period, which establishes visibility goals for 2028 for Class I areas based on identification of reasonable controls through weighing of the four statutory factors, are due in July of 2021. The EPA Region 6 is working closely with the States as they develop these SIP submittals.
Michael Feldman 214-665-9793.

Review of the National Ambient Air Quality Standards (NAAQS): The Clean Air Act requires the EPA to periodically review the NAAQS to ensure that they provide adequate health and environmental protection, and to update those standards as necessary. The EPA

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is currently reviewing several NAAQS:

On December 23, 2020, the EPA finalized its decision to retain the Ozone NAAQS without revision: [HYPERLINK "https://www.govinfo.gov/content/pkg/FR-2020-12-31/pdf/2020-28871.pdf"]. All the review documents for the Ozone NAAQS are posted here: [HYPERLINK "https://www.epa.gov/naaqs/ozone-o3-air-quality-standards" \h].

On December 4, 2020, the EPA finalized its decision to retain the Particulate Matter (PM) NAAQS without revision: [HYPERLINK "https://www.govinfo.gov/content/pkg/FR-2020-12-18/pdf/2020-27125.pdf"]. All the review documents for the PM NAAQS are posted here:[HYPERLINK "http://www.epa.gov/naaqs/particulate-matter-pm-air-quality-" \h]atter-pm[HYPERLINK "http://www.epa.gov/naaqs/particulate-matter-pm-air-quality-" \h]standards.

The final Federal Register actions addressing EPA's decision on the Ozone and PM NAAQS are included on a list of agency actions that the new Administration plans to review. At the time of this writing, we do not have information regarding the timing of these reviews.

The EPA is also reviewing the secondary (welfare-based) NAAQS for oxides of nitrogen, oxides of sulfur, and PM. We expect to release the draft Policy Assessment this Spring. The review documents for these secondary NAAQS are posted here: [HYPERLINK "https://www.epa.gov/naaqs/nitrogen-dioxide-no2-and-sulfur-dioxide-so2-secondary-air-quality-standards"]. ***Carrie Paige, 214-665-6521.***

EPA's Advance Program: We remind the tribes to visit [HYPERLINK "https://www.epa.gov/advance" \h] to view resources that promote local actions to reduce ozone and fine particulate matter. ***Randy Pitre, 214-665-7299.***

Permitting on Tribal Lands

Title V Operating Permit for Monarch Waste Technologies: On May 20, 2020, the EPA issued the final CAA Title V (Part 71) permit for Monarch Waste Technologies, LLC (Monarch), the owner/operator of a facility located on the Nambe Pueblo near Santa Fe, New Mexico. The facility's Pyromed 550 System is a Hospital Medical Infectious Waste Incinerator (HMIWI), subject to the New Source Performance Standards (NSPS) for HMIWI, Subpart Ec. The administrative record as required by 40 CFR § 71.11, is available at the Regulations.gov website, under Docket #EPA-R06-OAR-2019-0561. However, EPA has received word from the Nambe Pueblo that the facility has possibly stopped operation and will be decommissioning all equipment for removal from the site. ***Erica LeDoux, 214-665-7265.***

Title V Operating Permit Renewal for the El Paso Natural Gas Laguna Compressor Station: The Title V permit renewal was issued on July 30, 2020, and is effective for five years until renewed (July 29, 2025). The Laguna Compressor Station owned and operated by the El Paso Natural Gas Company, LLC (EPNG), a

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Kinder Morgan company is a natural gas compression station for natural gas and is located on the Laguna tribal land, NM. ***Erica LeDoux, 214-665-7265***

Choctaw Casino and Resort, Durant, OK: The permit for the gaming facilities at the Choctaw Casino, Durant was public noticed from July 31st through August 31, 2020. No public comments were received, and the final permit was issued on September 17, 2020. All documents related to this action are available at [HYPERLINK "http://www.regulations.gov/" \h] docket # EPA-R06-OAR-2020-0376. ***Erica LeDoux, 214-665-7265.***

Enterprise Field Services LLC. The title V renewal was issued March 11, 2021 and is effective for five years until renewed (April 9, 2026). This renewal incorporated the 2018 synthetic minor NSR permit limits. The Lindrith Compressor Station on Jicarilla Apache tribal land, NM is an existing natural gas compression and transmission facility. The final permit will be effective 30 days later after issuance, if no appeals are made to the EAB during the 30-day window for such permit actions. ***Erica LeDoux, 214-665-7265.***

New Permitting Activities in Region 6:

(1) **Choctaw Defense Manufacturing LLC** has applied for a synthetic minor NSR permit for the operations of their current plant located in McAlester, OK. The permit application was declared administratively complete on July 24, 2020, and the EPA has sent Tribal Consultation invite letters to the adjacent tribes for consultation on this potential action. The proposed permit is being drafted for public notice on March 23, 2021.

(2) The EPA has received a permit application from **Transwestern Pipeline Company LLC.**, for the renewal of its existing Title V permit of the Laguna Compressor Station No. 6 on Laguna tribal lands, New Mexico. This permit was declared administratively complete on September 17, 2020. Tribal Consultation letter invites were sent to neighboring tribes on March 5, 2021 and March 9, 2021.

(3) **The Choctaw Pocola Casino and Resort**, LeFlore County, OK, has requested a minor NSR permit for the gaming facilities on Choctaw tribal trust lands. The facility is located approximately 6 miles southwest of Fort Smith, AR. The application was received by the EPA on 10/2/2020 and found complete. Tribal Consultation letters have already been sent out for this project. The Public Notice on the draft permit for the Pocola Casino was from February 11 to March 12, 2021. There were no comments nor request for public hearing. ***Erica LeDoux, 214-665-7265.***

Tribal Registrations: The EPA Region 6 continues to accept only changes in operations or change of ownership of registered facilities that registered with the EPA prior to September 2, 2014. If the changes exceed the minor thresholds limits in Table 1 of 40 CFR §49.153, the facility must apply for a minor NSR permit. ***Erica LeDoux, 214-665-7265.***

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Land, Chemical and Redevelopment Division

RCRA, Brownfields, and Solid Waste Branch

TRIBAL SOLID WASTE

EPA Recycling with COVID-19 Resources Site and Videos: EPA HQ released several videos on YouTube to address recycling with COVID-19, as well as a website with information, resources and links for additional information. These have been sent out to all Region 6 tribes and discussed on RTOC calls. Any new information or fact sheets will be forwarded as soon as we receive them. Here are the links:

- Don't recycle Personal Protective Equipment video: [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fyoutu.be%2FS1cERI3IbeY&data=02%7C01%7CHancock.Roger%40epa.gov%7C93101274ff4441d21f7a08d7f809eb82%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637250593804425259&sdata=BlU2uszcdFKkP7Ei0tSgkYfDT3KFJJn6p%2Bj6jDiAnQw%3D&reserved=0"]
- Recycling during health crisis video: [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fyoutu.be%2F_ADZ8vH-r4M&data=02%7C01%7CHancock.Roger%40epa.gov%7C93101274ff4441d21f7a08d7f809eb82%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637250593804425259&sdata=Rkqo7%2BN53K9w7hs7RJMMVjs2Zp4alKyQYFvViz4%2BlBI%3D&reserved=0"]

This is the Recycling During COVID-19 web page: [HYPERLINK "https://www.epa.gov/coronavirus/recycling-and-sustainable-management-food-during-coronavirus-covid-19-public-health"]

This last link is also available at [HYPERLINK "http://www.epa.gov/coronavirus"]. **Roger Hancock, 214-665-6688**

EPA and ENIPC Tribal Recycling Workshop: *Please note that this Workshop has been tentatively postponed until September 2021 or Spring 2022 due to COVID-19* As part of EPA celebrating America Recycles Day, the Region has committed to hold a tribal recycling workshop in New Mexico. We will co-host the event with the Eight Northern Indian Pueblos Council (ENIPC) and hold it at the Santa Ana Pueblo Wellness Center. We are encouraging tribal solid waste staff, as well as Environmental Directors to come as this will be a hands-on workshop with field training. The first day will feature several Pueblo speakers discussing their solid waste and recycling programs, as well as federal, state and nonprofit officials discussing resources available to tribes. On the second day, we will provide transportation to the attendees to visit three Pueblo transfer stations. Rooms are provided for all attendees. If conditions are still unfavorable for an in-person training in the next couple of months we plan to postpone until next Spring so that we can have a safe, responsible workshop. **Roger Hancock, 214-665-6688**

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ITEP Selected for National Tribal Solid Waste Training: The Institute for Tribal Environmental Professionals (ITEP) was selected again to be EPA's national training and Peer Matching provider. They have done many national solid waste trainings and will continue to offer them this year. Due to COVID-19, upcoming trainings are planned to be virtual. We will be notifying everyone as soon as we hear of upcoming events and trainings and you can also access more information, presentations and documents at: [HYPERLINK "https://www7.nau.edu/itep/main/Waste/"] **Roger Hancock, 214-665-6688**

EPA to Continue Offering Tribal Solid Waste Online Webinars: Over the past year, EPA HQ has offered several online webinars and trainings covering topics such as waste characterization, sustainable materials management and managing small-scale transfer stations. Due to the excellent participation rate and interest we are planning to continue to offer more trainings and will keep everyone updated as soon as they are announced. **Roger Hancock, 214-665-6688**

Fort Wingate Depot Activity (FWDA), New Mexico: Remediation continues under NMED's RCRA closure/post-closure permit. Removal of explosives-contaminated soils (70,000 cu yd) at the TNT Leaching Beds was completed last year. Major remediation work at the former Open Detonation/Open Burn (OB/OD) Area continues, with over half of the soil excavated and sifted. However, the Army requested from NMED deliverables extensions of 3 – 5 years due to funding and contracting issues. NMED, after some discussions with Army, issued NOVs with stipulated penalties based upon Army's failure to meet Permit schedules; this issue is still in flux. Most of the facility is scheduled to be returned to the Navajo Nation and the Pueblo of Zuni. Twelve of the facility's 25 land parcels, totaling 8,350 acres, were transferred to those tribes last year. Tribal, BIA, NMED and EPA participation continues under the base closure process. Army announced the recent signatures by all parties including Pueblo of Zuni, Navajo Nation, NM, Army, and the Advisory Council on Historic Preservation on the FWDA Programmatic Agreement regarding BRAC Closure and Disposal/Corrective Action Activities. The normal semi-annual Base Closure Team meetings in Gallup were cancelled in 2020 due to the pandemic. However, fieldwork has been ongoing at Parcel 3, as well as Interim Groundwater Monitoring with appropriate health protections in place. The Army has been conducting excavating and processing operations associated with the HWMU, Parcel 3, since August 2017. As of 30 September 2020, they have excavated and processed around 641,000 tons of soil, identified and removed 22,686 MEC items, removed and flashed over 3,157,844 lbs of MDAS, and characterized 382,000 cubic yards of processed soil. ***Laurie King, 214-665-6771***

EPA/NREL/Kickapoo Tribe Partnership Project: In the Spring of 2020, EPA Region 6, the Kickapoo Traditional Tribe of Texas (KTTT), and the Department of Energy's National Renewable Energy Lab (NREL) formed a partnership to promote renewable energy/energy efficiency (RE/EE) opportunities on Tribal property near Eagle Pass, TX. The project is being funded via an Interagency Agreement between the Region 6 RCRA Program and NREL. KTTT has identified several facilities/locations on their property for a RE/EE feasibility study. The project partners are conducting monthly conference calls to share information and provide status updates. The effort is also being supported by the Region 6 Tribal and Border Offices. ***Jeanne Schulze, 214-665-7254***

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BROWNFIELDS

2021 National Brownfields Conference: The 2021 National Brownfields Conference in Oklahoma City, Oklahoma. The 2021 National Conference previously scheduled for April 27-30, 2021, has been rescheduled to September 27-30, 2021. The Conference location will remain at the new OMNI Hotel and OKC Convention Center. The Conference is postponed due to the impacts of the COVID-19 pandemic. **Althea Foster, 214-665-2268**

FY 2020 TRIBAL BROWNFIELDS 128(a) GRANT PROGRAM ACCOMPLISHMENTS: The Brownfields team commends Cherokee Nation (CN) and Inter Tribal Environmental Council (ITEC) for their FY2020 Brownfields accomplishments/efforts despite of the COVID-19 pandemic challenges. Both tribes managed to conduct at least six Phase one assessments. Brownfields Section 128(a) funds can be used for assessments or cleanups at sites that meet the definition of a brownfields site. A brownfield site is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. EPA encourages states and tribes to use site-specific funding to perform assessment (e.g. phase I, phase II, supplemental assessments, and cleanup planning and activities) that will expedite the reuse and redevelopment of sites, and prioritize sites based on need. CN assessed approximately 206 acres of undeveloped/livestock-use property for a cost of $8.505. ITEC assessed approximately 112 acres of undeveloped/agricultural-use property for a cost of $6,736. **Elizabeth Reyes, 214-665-3163**

Pesticides, Toxics, Underground Tanks Branch

Grants

Lead Paint Program Grants: The Cherokee Nation of Oklahoma was awarded a grant in September 2020 to conduct a Lead Based Paint Program. The focus of the program is maintaining the appropriate infrastructure to successfully administer and enforce the lead-based paint program, providing training for lead inspectors, and, conducting inspections of licensed contractors engaged in lead-based activities and taking appropriate enforcement when needed. ***Mike Adams, 214-665-6711***

Pesticide Program Grants: Cooperative agreements were awarded to two tribal consortia, the Inter-Tribal Environmental Council (ITEC) and the Eight Northern Indian Pueblos Council (ENIPC) on September 18, 2020 and September 16, 2020, respectively, to assist member tribes in building capacity to establish and maintain pesticides programs. The goal of the tribal pesticides program is to make tribes aware of the benefits and risks of pesticides and the requirements for their safe use, thereby safeguarding human health and the environment. In November, ENIPC requested a one-year extension to give more time to finish out the grant. This extension will end on September 30, 2021. ***Sierra Moline, 214-665-2177***

Program Implementation

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Federal Certification of Applicators of Restricted Use Pesticides (RUP) in Indian country: On February 6, 2014, EPA issued a federal certification plan that allows the use of RUPs in Indian country by trained, tested, and certified applicators. The plan also allows EPA to regulate the sale and distribution of RUPs in Indian country. The certification requirements for RUPs help ensure that RUP applicators are competent to use these hazardous pesticides as safely as possible. Currently, there are 14 certified commercial applicators of RUP in Indian Country in EPA Region 6. ***Greg Weiler, 214-665-7564***

Regulations

Agricultural Worker Protection Standard (WPS): The EPA finalized updates to the 2015 WPS Rule on October 29, 2020. Changes modified the AEZ so it is applicable and enforceable only on a farm owner's property, exempt immediate family members of farm owners from all aspects of the AEZ requirement, added clarifying language for resuming pesticide applications that are suspended due to individuals entering the AEZ, and simplified the criteria for deciding whether pesticide applications are subject to the 25- or 100-foot AEZ. A temporary injunction was filed in December 16, 2020 and has halted the implementation of the Final Rule from December 29, 2020 until April 19, 2021 but could be extended as the litigation is ongoing. The 2020 Rule is concurrently undergoing review per the Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis. At this time, the 2015 WPS remains in effect due to the preliminary injunction. ***Diego Garcia 214-665-2292***

Tribal Outreach

Lead Based Paint Program Webinar: The EPA Region 6 Lead-based Paint Program partnered with the Region 6 Children's Environmental Health Program and the Eight Northern Indian Pueblos Council, as well as EPA Region 8 and Region 9 to host two webinars to promote Children's Environmental Health and the Lead Based Paint program.. Over 130 individuals were able to virtually attend each webinar. The webinar was offered in response to the delayed Lead Based Paint/Children's Environmental Health Program Symposium that is now delayed until fall of 2021. ***Mike Adams, 214-665-6711***

Inter-Tribal Environmental Council (ITEC) Pesticides Program: ITEC Pesticides staff coordinated with the ITEC Conference Coordinator to set up the pesticides session for the 25th Annual ITEC Conference Webinars on April 27, 2021. The pesticides session included the following topics and speakers, "Tribal Pesticides Program Council Report" Larry Scapper, Cherokee Nation/ITEC, "Selecting & Using Disinfectants for Control of SARVs-CoV-2 (COVID)", Ken McPherson, EPA Region 6, and "Pesticides in eCommerce", Kristin Dunbar, EPA Region 6.

ITEC staff have continued to participate in webinars and conference calls, including EE2020 webinar, "Deploying Drones for Improved Environmental Results", monthly Tribal Pesticide Program Council (TPPC) executive conference calls, TPPC working group calls groups (Direct Implementation WG, Risk Assessment WG), Tick IPM working group conference calls, the EPA Integrated Pest Management Series Webinars, and the State/Tribal/SLA/EPA fall pesticides

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meeting on October 27-28, 2020. The Tribal Pesticide Program Council fall meeting was not scheduled due to the pandemic

ITEC staff have also submitted Tribal Pesticides reports to the Tribal Environmental Coalition in Oklahoma (TECO) for the teleconference meetings. TECO is a partnership of several tribes in the State that brings educational and informational resources together for multiple tribes to attend and learn from other professionals.

ITEC pesticide staff have continued to assist and provide information/brochures/fliers/support to tribes who reach out with pesticide concerns. ITEC staff continue to maintain the pesticide application notification in a database.

On March 23, 2020 ITEC staff were required to work from home due to the COVID-19 pandemic. Staff worked from home through May 2020 and returned to the office in staggered shifts on June 1, 2020. ***Sierra Moline, 214-665-2177***

Eight Northern Indian Pueblos Council (ENIPC) Pesticides Program: ENIPC-OETA Pesticide Program partnered with two pueblos, San Ildefonso and Santo Domingo, to build pollinator gardens in their communities. The goal was to create gardens and outreach materials (e.g. PowerPoint presentation, website update, flyers, and/or social media posts) that can be used as tools to educate tribal youth, growers, and the general community about protection of native pollinators. The program was also able to solicit donations of native pollinator plants, soil, and mulch from local and tribal organizations. The Pesticide Program worked with each pueblo to finalize a shopping list of supplies unique to each garden. The lists were finalized in late August, and all supplies besides plants, soil, and mulch were purchased by the end of August. The program then worked with the tribes and suppliers to receive the donated items by the end of the second week of September. Santo Domingo picked up all donated items and completed their pollinator garden the day after. San Ildefonso Pueblo had difficulty finding someone to construct the garden bed. ENIPC-OETA staff is willing to assist with building the pollinator garden but San Ildefonso Pueblo remains closed to non-residents and visitors at this time. ENIPC completed the outreach portion of the pollinator garden project including a presentation, website updates, flyers and social media posts.

ENIPC staff have continued to provide updates and information about current program services, webinars, virtual pest and pesticide training, and SARs-CoV-2 disinfectants and cleaning methods. ENIPC Staff have also continued to participate in virtual staff meetings and in the semi-annual Region 6 Pesticide Meeting and Pre-SFIREG Conference call.

ENIPC staff had been working from home since mid-March but was still successful in continuing their outreach and educational goals. ***Sierra Moline, 214-665-2177***

Lead Based Paint Program presentation: The EPA Region 6 Lead-based Paint Program is providing a Lead Based Presentation at ITEC on April 29th. ***Mike Adams, 214-665-6711***

Region 6 Healthy Schools Newsletter and COVID-19 Outreach Information: Region 6 has begun to publish a quarterly Region 6 Healthy Schools Newsletter with articles on recycling, pesticides, lead paint, water quality, indoor air quality, Children's Health and more. In response to the ongoing pandemic, Region 6 published and shared to school representatives, including those for Tribal Schools, a special edition Schools Newsletter that focused specifically on the reopening of schools. Region 6 developed letters that were sent to childcare, elementary through high school, and university affiliated staff and management emphasizing the importance of the safe use of disinfectants. Additionally, Region 6 presented on a webinar entitled "Addressing Disease Mitigation in Schools, Daycare Centers and Universities with Sanitizers and Disinfectants" " which was recorded is available at [HYPERLINK "https://www.epa.gov/ipm/upcoming-integrated-pest-management-webinars"]. Region 6 continues to conduct outreach to various parties that have questions on the safe and effective use of disinfectants. ***Kenneth R. McPherson, 214-665-6754***

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Enforcement and Compliance Assurance Division

Growing Trend of Concern Relative to Drinking Water: There is a growing trend for non-compliant public water supply systems on Tribal or Pueblo Lands in Region 6. We have a total of 4 systems that are not in compliance with varying components of the Safe Drinking Water Act with ETT scores of 11 or higher. Note that some of these already have active administrative orders. Based on site visits and inspections, we have determined that the two most common factors contributing to this growing trend are: 1) failure to adequately fund proper operation and maintenance, and 2) failure to acquire and retain qualified operators. There are some misconceptions about funding for operations and maintenance (O&M). Federal grant allocations cannot fund O&M expenses because they are the tribe's/owner's responsibility. Grant funds can be used to support infrastructure improvements necessary to improve the efficiency necessary to meet Safe Drinking Water Act standards. ***Curry Jones 214-665-6793***

Mescalero Apache Drinking Water: Protection of drinking water is a key pillar in building strong communities. Mescalero Apache Tribe has 10 public water systems serving about 6,000 people across 50 square miles. These Public Water Supply (PWS) systems have historically had numerous operations, maintenance and management issues that were not addressed for over two decades that negatively impact drinking water. The EPA has provided millions of dollars to Mescalero for infrastructure projects ($2,539,400 in 2008; $212,100 in 2015; $787,750 in 2017). The EPA issued a Unilateral Administrative Order, a first of its kind public notice order on December 18, 2018, to the Mescalero Apache Tribe for failure to address 181 significant deficiencies in their drinking water system. This order requires that the Tribe post public notice of their failure to address these deficiencies and continue to repost every three months until all significant deficiencies are corrected. The public notice order concept originated in Region 6 and has proven to be an effective tool to reach the citizens consuming the water. The EPA continues to work with Mescalero Apache Tribe to promote the need for obtaining necessary personnel and financial resources to address the remaining deficiencies. As a result of the EPA partnership with Mescalero Apache Tribal leadership, the Tribe has resolved 151 of the 181 deficiencies within the first 27 months of the unilateral order. This represents a completion of 83% of the significant deficiencies. Some of the remaining deficiencies require construction projects that, once complete will address the issues. This partnership and these meaningful steps will ensure that Mescalero Apache Tribe will be able to provide clean and safe water to tribal members. ***Curry Jones 214-665-6793 / Tonia Biggs, 214-665-8551***

OECA Circuit Rider Initiative

The EPA is assisting tribes through direct technical assistance. EPA's Office and Enforcement and Compliance Assurance (OECA) has contract support available to assist tribal drinking water facilities to develop asset management plans and standard operating procedures necessary to ensure infrastructure continues to provide clean and safe drinking water. The EPA encourages the tribes/pueblos to continue to seek both internal and external resources necessary to maintain proper operations and maintenance and hire staff necessary to provide safe drinking water to tribal communities. Two Region 6 tribes are currently participating in the Circuit Rider program supported through the OECA funding and anticipate another tribe will be added to the program in FY2021. ***Curry Jones 214-665-6793 / Tonia Biggs, 214-665-8551***

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Clean Water Act Section 404 referral to EPA due to Impact to Toltec Mounds (Arkansas)
The Little Rock District Corps of Engineers referred Clean Water Act Section 404 violations to Region 6 involving the construction of a water control structure and alteration of a levee in Mound Lake, Arkansas. These violations have secondary impacts to the Toltec Mounds, an archeological site and designated National Historic Landmark located in an Arkansas State Park. There is also a Keepsafe Cemetery located on the property that is adversely impacted by the violations. EPA has contacted the Quapaw Tribe of Oklahoma, the Osage Nation, Caddo Nation, and Tunica-Biloxi Indian Tribe of Louisiana regarding our goal of addressing the violations in a manner that removes the threat of impact to the archeological site. A site inspection was conducted on Friday, March 12, 2021, to finish gathering information for negotiating a resolution of this matter. ***Curry Jones, 214-665-6793 / Tom Nystrom, 214-665-8331***

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Superfund and Emergency Management Division

TRIBAL CONSULTATION AND COORDINATION

VARIOUS REMOVAL/REMEDIAL ISSUES

Quapaw Nation, Tar Creek, OK: As of December 2020, investigation and remediation work for Tar Creek continues to move forward and make progress. Remediation work under Operable Unit 4 (OU4 – Chat Piles and Other Mining Wastes) addressed a total of 6 million tons of chat, with approximately 858,000 tons of marketable chat that was provided to chat processors for sale from multiple chat piles across the site. Remediation of approximately 1,000 acres of contaminated land in conjunction with surround properties brings the total Ready-for- Reuse property acres to approximately 4,700 acres of land. Through remediation cooperative agreements, the ODEQ has remediated approximately 1.3 million tons of mining waste and affected soils, while the Quapaw Nation has remediated approximately 2.4 million tons. Under OU2, the ODEQ continues to assess and remediate residential properties. To date, nearly 3000 residential properties have been remediated. During 2020, 35 properties were sampled, and remedial designs are underway for 16 of the 35 properties with projected design completion in 2021. Additionally, remediation of 15 properties is projected for completion in 2021. ***John Meyer 214-665-6742***

Tar Creek OU5 (Surface Water and Sediments), OK: EPA continues to work with the seven (7) Tar Creek Trustee Council Indian Tribes, the Quapaw Nation, states, community and other federal agencies to plan, report and review the risk assessment and investigation reports, as well as the feasibility study. EPA completed revisions to the OU5 Human Health Risk Assessment Report and released it in March 2021. In February 2021, EPA released the Draft Preliminary Remediation Goal (PRG) Memorandum, held a Webinar presentation on February 23, 2021, and is accepting comments through April 16, 2021. The draft PRG Memorandum provides a summary of the approach and assumptions used to develop human health risk-based preliminary remediation goals based on the potential risk exposures identified in the human health risk assessment, in addition to identifying ecological preliminary remediation goals. EPA will continue to coordinate with the tribes interested in the Tar Creek Site through periodic meetings, conference calls, and document sharing, including planning and discussion meetings in support of watershed technology identification and evaluation. The Feasibility Study (FS) Phase of work began in November 2018, with Region 7 as the lead contact. Region 7, as well as Region 6, is conducting field pilot study activities which will provide information on available technologies and support evaluation of potential remedial options as these are developed. The next target milestone for OU5 is to work through the comments and revise the PRG Memorandum and continued coordination during the FS. In addition, EPA will work with the group to identify remedial action objectives and preliminary remediation goals. ***John Meyer 214-665-6742***

Wilcox Oil Company, Bristow, OK: Construction of the Source Control Interim/Early Action, documented in the 2018 Source Control Record of Decision, is anticipated to begin in Summer 2021. This action will address approximately 25,000 cubic yards of source material located at eight former tank locations and approximately 5,800 cubic yards of lead source material in the

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lead additive area. Concurrently, the development of the Feasibility Study (FS) continues and included an August 2020 field event to collect additional data to fill gaps related to ground water nature and extent. The next milestones for the project will be the release of the revised Remedial Investigation Report, the revised Human Health and Ecological Risk Assessments, and the draft FS. The draft FS is scheduled for release and comment by end of the 2021 calendar year. ***John Meyer 214-665-6742***

Oklahoma Refining Company, Cyril, OK: ODEQ anticipates making a contract award this Spring 2021 after EPA awarded cooperative agreement funding to ODEQ last fall. The Operable Unit 2 (North Side) Remedial Action will consist of excavation of contaminated soils and sediments, on-site disposal of the excavated materials in the hazardous waste landfill, and recovery and monitoring of light non-aqueous phase liquids. EPA and ODEQ will continue to coordinate with and inform OK tribes on site milestones. ***John Meyer 214-665-6742***

Circle 9 Resources Oil Spill, Seminole County, OK: On February 26, 2021, a 2,100-gallon oil spill into an unnamed creek with the potential to reach Little River, was reported to National Response Center. EPA deployed technical assistance (START) contractors to the site to observe and document site actions. START visited the site on February 27, 2021. The Responsible Party (RP) had responded to the spill by deploying hard and soft boom, constructing solid dams upstream and downstream of the spill in the unnamed creek and using vacuum truck skimmers to collect oil. No oil was observed in the Little River. The site is on private property within the Seminole Reservation. EPA coordinated with representatives of the Muscogee Creek Nation and the Seminole Nation as well as Department of the Interior and US Fish and Wildlife. Principal Chief Greg Chilcoat of the Seminole Nation visited the site and stated that he was satisfied with the progress and pace of response. The RP completed final clean-up operations on March 10, 2021 and requested a closure inspection by the Oklahoma Corporation Commission. ***Craig Carroll, 214-665-2220***

DJF Services Oil Spill, Seminole County, OK: On February 26, 2021, a 6,600-gallon oil spill into an unnamed creek was reported to National Response Center. The oil spill ultimately reached Little Wewoka Creek. EPA deployed technical assistance (START) contractors to the site to observe and document site actions. The Responsible Party (RP) had responded to the spill by deploying hard and soft boom and vacuum truck skimmers to collect oil. Oil was observed in Little Wewoka Creek as far downstream as Highway 56. As of the afternoon of March 1, 2021, START contractors reported the cleanup was progressing successfully with most of the visible oil recovered. START demobilized from the site on the evening of March 1. The site is on private property within the Seminole Reservation. EPA staff coordinated with representatives of the Muscogee Creek Nation and the Seminole Nation as well as the Department of the Interior and the US Fish and Wildlife. Principal Chief Greg Chilcoat of the Seminole Nation visited the site and initially stated a concern that progress was moving too slowly. EPA staff passed the concern on to the RP who agreed to get more staff on the response. A representative from the Oklahoma Corporation Commission (OCC) inspected the site on March 10, 2021. The OCC representative reported that all visible oil and oiled booms had been removed from the impacted areas. The OCC representative instructed the RP to install clean sorbent boom at Highway 56 to capture any subsequently released oil. ***Craig Carroll, 214-665-2220***

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Henryetta Iron and Metal Superfund Site, Henryetta, OK: The EPA conducted a removal site evaluation on November 2 - 13, 2020. The removal site evaluation involved the sampling of surface soil, subsurface soil, creek sediment, creek banks, naturally occurring radioactive material (NORM) survey of soils and oil field piping, as well as performing certified property survey. This action was coordinated with the Remedial Program and the Oklahoma Department of Environmental Quality to serve all programs as this site is on the National Priorities List. Data will be reviewed upon receipt, and final determinations of contaminants of concern, cleanup levels, and actions to be taken will be made. ***Craig Carroll, 214-665-2220 and John Meyer 214-665-6742***

Jackpile-Paguate Uranium Mine Site, Paguate, NM: Work continues in preparation of groundwater monitoring well installations during late winter and early Spring at the site. Atlantic Richfield was granted permit approval during POL Tribal Council meetings held in December 2020, for the locations and number of wells anticipated during Phase 1 Groundwater Monitoring. Directional road signs were installed during this quarter in preparation of sub-contractors mobilizing on-site in late winter. Brush was also cleared to improve access in some areas. Air quality data continues to be monitored 24/7 and is currently undergoing data validation and verification. Other media workplans are under review or revision. ***John Meyer 214-665-6742***

North Railroad Avenue Plume Site, Española, NM: On September 21, 2020, EPA completed a focused Remedial Investigation (RI) for vapor intrusion at the North Railroad Site and a focused human health risk assessment, a recommendation in a 2015 Five-Year Review, for a residential area and Santa Clara Pueblo land know to have shallow groundwater contamination from tetrachloroethene (PCE) and trichloroethene (TCE). No further action to mitigate indoor air vapors is warranted. The soil vapor plumes are related to a second plume of groundwater contamination discovered in 2016. This new groundwater plume is not associated with the North Rail Site but sourced from a second dry cleaner facility. This new plume is currently being addressed by the NMED. ***John Meyer 214-665-6742***

New Mexico Abandoned Uranium Mines – Five Year Plan: EPA is developing the 2021-2025 Five-Year Plan for the Grants Mining District. Input has been garnered from community meetings, meetings with NM agencies, and from meetings with the Pueblos of Acoma and Laguna. Once a plan is drafted incorporating ideas and input from stakeholders, it will be shared with plan partners and released for public comment. EPA plans to finalize the document in 2021. ***Susan Webster 214-665-6784***

New Mexico Abandoned Uranium Mines – Tronox Mines: On September 28, 2020, Region 6 transferred the lead authority for the Tronox Section 32/33 Mines Site to EPA Region 9 due to the presence of Navajo Nation residents at the Site and scheduling challenges. Region 6 completed the draft final Engineering Evaluation/Cost Analyses (EE/CA) for the Section 10 Mine, the East Geographic Sub-Area (GSA) Mines, the West GSA Mines, and the Central GSA mines in 2020 to meet the commitments made to the EPA Office of Inspector General. This work is funded by proceeds from the Tronox Settlement. Region 6 continues to participate in regular coordination meetings Region 9, Navajo Nation, NMED, and NM MMD to discuss priorities. ***Craig Carroll 214-665-2220***

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Tronox Navajo Area Uranium Mines East, West and Central Geographic Sub-Areas and Section 10 Mine, Grants Mining District, NM: As of November 30, 2020, all of the Draft/Final Engineering Evaluation/Cost Analyses (EE/CA) documents for all Region 6 Tronox Navajo Area Uranium Mines (NAUM) Sites where Region 6 has lead authority were completed and the Office of Inspector General (OIG) notified by memorandum. These completions fulfilled EPA Region 6's commitments to the OIG for Recommendation 1, Corrective Action 1.2 - Complete Engineering Evaluations/Cost Analyses in Report No. 18-P-0233 for the Tronox NAUM sites on or before December 31, 2020. The East Geographic Sub-Area (GSA) and Section 10 Mine were completed on October 9, the West GSA was completed on November 9, and the Central GSA was completed on November 19. ***Craig Carroll, 214-665-2220***

San Mateo Creek Basin Legacy Uranium Mines Site, NM: Field work associated with the groundwater Remedial Investigation and Feasibility Study of the Lower San Mateo Creek Area is expected to begin in Spring 2021. The EPA reached an agreement in November 2019 with three former mine operators to investigate the nature and extent of the groundwater contamination and develop potential cleanup alternatives. ***John Meyer 214-665-6742***

Johnny M Uranium Mine, Grants, NM: The EPA is currently negotiating an Agreed Order on Consent for the removal action Hecla Mining Company for the Johnny M. Mine cleanup. The non-Time Critical Removal Action will consist of an on-site repository. ***Craig Carroll, 214-665-2220***

Oak Canyon Residential Site, Paguate, Pueblo of Laguna, NM: Region 6 was contacted by the Pueblo of Laguna (POL) Environment Department about elevated radon test results in a residence. The EPA assessed the site of the residence, conducting radiological measurements and samples from several outdoor locations, to determine the potential presence of uranium residues and related radiological materials and conducted indoor radon testing and indoor radiation survey of the structure. The EPA completed a review of the data collected at the residential site and determined that some radiological materials should be removed and radon at the site should be mitigated. The next steps include working with POL on an access waiver so that a site walk with EPA contractors can be performed to determine the appropriate removal activities approach. ***Craig Carroll, 214-665-2220***

SPCC/FRP Virtual Outreach Events: On March 31, 2021, EPA Region 6 will conduct a five-hour virtual Facility Response Plan/Spill Prevention, Control and Countermeasures Plan (FRP/SPCC) compliance assistance presentation at an annual outreach workshop that is being held by the Forefront Emergency Management Co. located in Houma, LA. The objective of the workshop is to provide compliance assistance and to increase awareness on the SPCC/FRP programs for the Oil Industry. The presentation was requested by Forefront and has been an annual presentation that we have conducted with them over the past 10 years. ***Craig Carroll, 214-665-2220***

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Office of Communities, Tribes and Environmental Assessment

THANK YOU

The Office of Communities, Tribes and Environmental Assessment (OCTEA) thanks all of our tribal partners for providing office status updates and other information during this difficult time of the pandemic. We hope you and your families are safe and healthy.

STAFF UPDATE

EPA Region 6 congratulates Office of Communities, Tribes and Environmental Assessment (OCTEA) Director, Jonna Polk. Jonna has been serving as the Field Supervisor for the Oklahoma Ecological Services Field Office, U.S. Fish and Wildlife Service since 2015. In that role, she's worked closely with Tribes, innovatively partnering to establish the first Tribal Conservation Area dedicated to recovery of an Endangered Species, also providing a mitigation area so that Tribal projects' compliance with the Endangered Species Act is streamlined. Prior to her position with FWS, she was Director of the Environmental, Cultural Resources, and Safety Division for the Bureau of Indian Affairs, Eastern Oklahoma Region. Jonna has significant experience working with communities to solve long-standing and complex environmental challenges. Jonna served as a Senior Project Manager and District Tribal Liaison within her 20 year career at the Tulsa District, U.S. Army Corp of Engineers, where she led a national team of multi-agency, multi-disciplinary experts to evaluate geologic conditions at the Tar Creek Superfund site. The technical report prepared by the team was the basis for protecting over 600 families from the community where there was a subsidence risk. She was also recognized for her leadership in protecting a community's water supply lake with the Department of Defense's first installation of a bioreactor for perchlorate removal. Jonna began her career right here at Region 6 working in our RCRA enforcement program. We are pleased to welcome her back to EPA. Jonna earned a Bachelor of Science degree in Chemical Engineering from the University of Tulsa where she has also served on the Industrial Advisory Board for the Chemical Engineering department. She has also served as a mentor for Freshman Chemical Engineering students. Jonna is a Member of the Cherokee Nation. ***Jonna Polk, 214-665-2121.***

TRIBAL FUNDING

Region 6 General Assistance Program (GAP): OCTEA is currently processing FY 2021 GAP grant applications and has made one award. The Region's GAP allocation for this year is $7,501,000. The Region is expected to make seventeen Performance Partnership Grant (PPG) awards this year. ***Randy Gee, 214-665-8355 and Jay Harris, 214-665-2260.***

EPA-TRIBAL ENVIRONMENTAL PLANS

Seven years ago, Region 6 tribal partners joined our office to implement the 2013 GAP Guidance requirement of an EPA-Tribal Environmental Plan (ETEP) for every GAP grantee in the Region.

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Our office is starting the ETEP renewal process with ETEPs submitted in 2015, which is twenty-two in total.

OCTEA is working with Region 6 media programs on a revised ETEP template for use during renewals. Once the template is finalized tribal partners up for renewal will be notified. ***Randy Gee, 214-665-8355 and Ira Hight, 214-665-8137.***

TRIBAL CONSULTATION AND COORDINATION

EPA Policy on Consultation and Coordination with Indian Tribes: Opportunities for Consultation: The following tribal consultation opportunity is ongoing:

- *Renewal of Clean Air Act (CAA) Tribal Title V Operating Permit for Transwestern Pipeline Company, L.L.C, Compressor Station No.6 – Laguna*

ENVIRONMENTAL JUSTICE UPDATE

The EJ Small Grants and EJ CPS RFAs are now live. Closing date is **May 7, 2021.**

Eligible entities include:

- non-profits,
- US territories,
- Tribal Governments (both federally recognized and state-recognized)
- Native American Organizations

Small grants are for $50,000 each.

CPS awards are for $160,000 each.

Areas of emphasis include projects focusing on:

- COVID-19 impacts on underserved communities (both)
- Climate/Disaster Resiliency (both)
- Ports Initiative projects (small grants)
- Projects from small non-profits of 10 or fewer employees (small grants)
- New applicants and grantees (both)

To learn more the **Collaborative Problem Solving Grants** and how to apply for funding, please visit: [HYPERLINK "https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fu7061146.ct.sendgrid.net%2Fls%2Fclick%3Fupn%3D4tNED-2FM8iDZJQyQ53jATUcTamadt4NNQe9KpiPdaiNg-2FhwYK0-2Bc38RZt4-2FKy9T8gST4EL9NGT3dGQ4jAyMH6nUTfeqL4OXn0FEY3UueEFjKdXwrnCEjxK-2Fv5SfQPOyhfbTc4eYTWToGDY-2FAgKQdTxL0dicxlR9IyPD-2B0boUXHQo-3DgwQ8_soFdI-2BV7T1fr6PovHBNaaK4xTZXao6-2BsaM96ZVUuJXo21XggZ1X-2Fk53s2o6-2FR1dwaDCS3jz05mDk0X1RiZA-

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To learn more the **EJ Small Grants** and how to apply for funding, please visit: [HYPERLINK "https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fu7061146.ct.sendgrid.net%2Fls%2Fclick%3Fupn%3D4tNED-2FM8iDZJQyQ53jATUcTamadt4NNQe9KpiPdaiNht6DIaDzBgSn8W-2BqzgcOgRBzX7XVILZF-2FsxyYeLIopHFMWTKhEhLzGsXlOr7hNHFPhaJ8lnDkIpjeTqjw-2BsIPt3Kul_soFdI-2BV7T1fr6PovHBNaaK4xTZXao6-2BsaM96ZVUuJXo21XggZ1X-2Fk53s2o6-2FR1dwaDCS3jz05mDk0X1RiZA-2BCOmiKtlHAOFnccC450XayQjuJl921Y5lo7x-2B-2BNeeAHMPA1ZXsEuOxvO2PGA-2FX7R5CJBOwJuRUjj0jvs6wJwRIRAXD7hbn-2FHpJFpE9VmiYYWoNSw-2Fi3eDAYtbrd143rAJJ2XLPIMjULOznDb8-2FwlYpRu5vF-2F6qyX5cKCMJPCmPG-2BXjE0YcPu4owPbf9UFB2fXE-2BDSD3w2ngwoxsUr-2FN4jy4kHvhmGtQhCc7nAjjyA84dB-2FeaFwKIDIV8Z8E-2B7DxP-2BTaiFYW9fW7BJyZezCMB3Qk8-3D&data=04%7C01%7CGee.Randy%40epa.gov%7Cef4560a929b04d7f56b808d8e7bab539%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637514136380179427%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=Ik9MzqFyvKOx8UH5xPpQy7%2FnEBePw9KlcwW0Z647tMw%3D&reserved=0"]

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Mission Support Division

BUDGET UPDATE

Region 6 has received the Operating Plan from the agency, providing an initial total of $513M of EPA's $9.237B budget (excludes reimbursable and carryover funds). Spending is divided into four specific categories. The most significant category is assistance agreements (grants and cooperative agreements), which accounted for $384.0M or 74.9 percent of Region 6's funds. Grants are used to: (1) financially support continuing environmental programs administered by state, tribal, and local governments, and (2) fund other environmental projects with various partners. The second largest category at nearly $108.4M or 21.1 percent, is Payroll, Compensation and Benefits (PC&B). This account covers salaries, benefits, overtime, and awards for employees. The third largest category is contracts and interagency agreements, which accounted for approximately $14.4M or 2.8 percent of all Region 6 FY 2021 funds. Examples of contracts include IT Support, Records Center, and remedial/removal contracts in Superfund projects. The fourth category is Other (e.g. administrative support), with 1.2 percent of all funds. This covers all travel, training, as well as remaining expenses in support of the workforce and ongoing operations and maintenance of the regional office including the Houston Laboratory.

At any point in the fiscal year, our grants office and staff are working grants packages for states and tribes across several fiscal years as depicted below.

	FY18 Workload		FY19 Workload		FY20 Workload	
	# of Awards	$'s Awarded	# of Awards	$'s Awarded	# of Awards	$'s Awarded
Arkansas	22	$33,771,175.00	29	$35,741,456.00	25	$5,030,198.00
Louisiana	18	$40,206,691.00	34	$44,219,569.00	18	$29,115,170.00
New Mexico	16	$17,227,102.00	31	$28,940,686.00	34	$8,651,517.00
Oklahoma	20	$34,823,283.00	25	$38,241,553.00	28	$10,780,240.00
Texas	30	$209,148,045.00	43	$211,241,843.00	46	$37,333,386.00
Tribes	98	$10,176,568.00	144	$14,734,036.00	45	$2,738,054.00
Other States	2	$0.00		$0.00	2	$2,487,398.00
STAG Totals	206	$345,352,864.00	306	$373,119,143.00	198	$96,135,963.00
EPM	18	$26,680,643.00	28	$3,696,441.00	36	$9,196,508.00
Other Funds	279	$81,909,961.00	134	$51,039,614.00	58	$19,574,090.00
Totals:	503	$453,943,468.00	468	$427,855,198.00	292	$124,906,561.00

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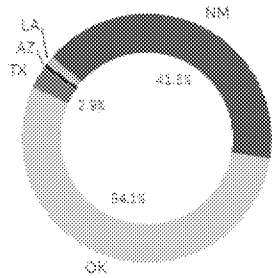
Although the FY21 operating plan includes $384M for grants, the region manages over $1B in grant packages over several fiscal years for all states and tribes. In addition to this year's $384M, below is the total number of open grants and associated funding associated with tribal grants as of the end of fiscal year 2020.

Distribution of Grants by State

Recipient Type	# of Grants	Funds Awarded
Totals	**172**	**$92,617,525.00**
OK	93	$76,991,584.00
NM	71	$13,733,836.00
TX	5	$1,293,416.00
LA	2	$575,724.00
AZ	1	$22,965.00

Distribution of Grants by State (# of Grants)



Environmental Programs	
Media	**Funds Awarded**
Superfund	$52,803,126.00
Multi-Media	$28,947,052.00
Water	$4,569,474.00
Air	$2,640,036.00
Brownfields	$2,545,841.00
Solid Waste	$704,496.00
Pollution Prevention	$207,500.00
Toxic Substances	$200,000.00

Small Business Engagement

The Small Business Administration (SBA) is responsible for ensuring that the government-wide goal for participation of small businesses is established annually and EPA's achievements are relative to the goals.

Each year Region 6 contracting is responsible for and measured on the percentage of small business contracts. This effort presents opportunities for small businesses to provide needed environmental services to the agency and specifically, Region 6. The depiction below provides EPA FY2019 small business performance in Small Business overall (SB), Small Disadvantaged Business (SDB), Women-Owned Small Business (WOSB), Service-Disabled and Veteran-Owned Small Business (SDVOSB), and designated HUBZone small business.

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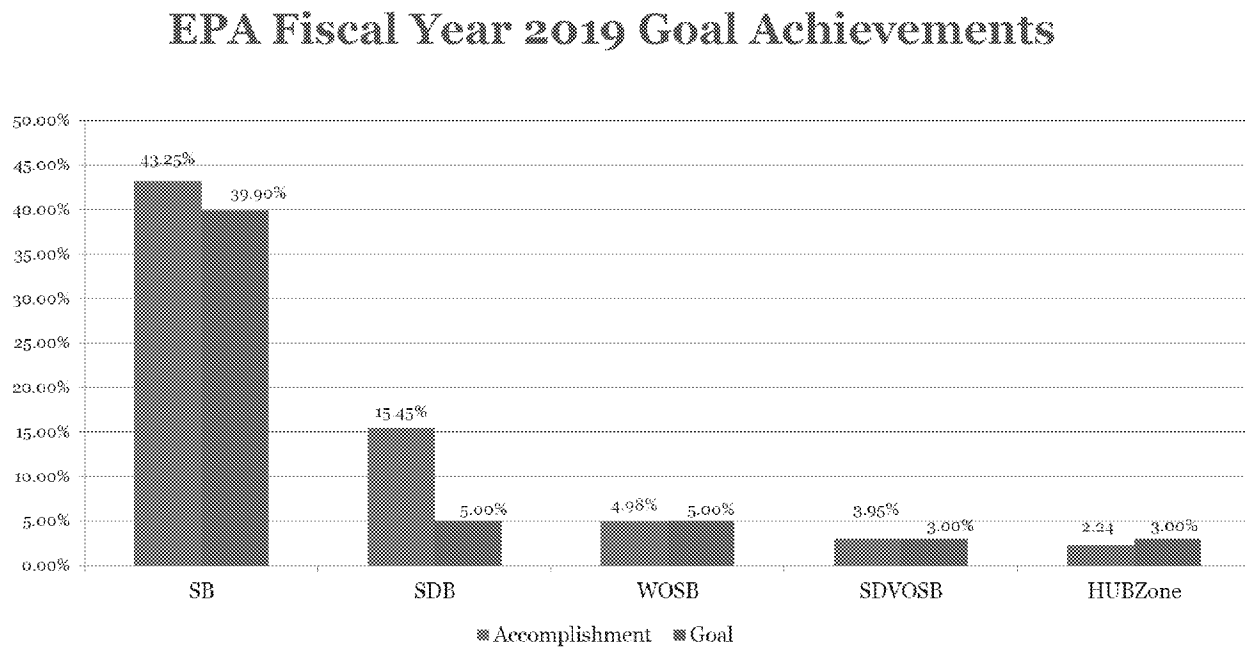

As part of the larger agency, Region 6 is on track to sustain its small business goal performance for FY21 and actively manages small business contracts to achieve our small business goals.

Progress in Achieving Goals as of 3/5/2021

Based on data from EAS

Office	SB	SDB	WOSB	HUBZ	SDVOSB	# of Goals Achieved
Region 6	★	★	★		★	4

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Laboratory Services and Applied Science Division

QA PROGRAM

EPA REGION 6 QUALITY ASSURANCE (QA) ONLINE TRAINING FOR GRANTEESS AND NON-EPA QA STAFF: Region 6 (R6) Laboratory Services and Applied Science Division has provided a 2021 Computer-Generated Quality Assurance (QA) Training for Grantees and non-EPA R6 QA employees! The Regional QA program has transferred to online sessions to accommodate schedules during the current shelter-in-place order. The free online training discusses the EPA Quality Program. It details the requirements for conducting quality management activities for environmental data collection and environmental technology programs performed by or for the Agency. The training will take several days to complete, and attendees will have a year (until January 31, 2022) to complete the training. Please review all the provided material before moving forward to take the quiz and obtaining your automated e-certificate. Note, R6 QA staff are also electronically notified once someone completes the training! Nonetheless, please obtain a screenshot of your certificate for your records. The revamped training is in lieu of the previously offered four-day classroom training, and thus will be considered as equivalent. You can access the training by clicking on the following link: [HYPERLINK "https://www.epa.gov/quality/r6-qa-training-grantees-and-other-qa-personnel"] .

EPA INVITES THE QA COMMUNITY AND PARTNERS TO AN UPCOMING QA VIRTUAL MEETING ON APRIL 27 -29, 2021! - - PLEASE SAVE THE DATE - -The Office of Mission Support, Office of Enterprise Information Programs, Enterprise Quality Management Division is hosting a 3-day virtual meeting April 27-29, 2021 and welcomes your participation. There will be multiple plenary and breakout sessions spanning across the 3-days addressing Quality Assurance (QA) topics in the areas of partnerships, best practices, emerging QA technologies, so much more! Participants and presenters include EPA Regional and National Program Office leadership and staff, and our state and tribal partners. Stayed tuned for upcoming registration or contact Sarah Abramowitz, [HYPERLINK "mailto:sabramowitz@rossstrategic.com"] or Niki Bryant, [HYPERLINK "mailto:bryant.niki@epa.gov"]. Anyone interested in learning more about the Agency's Quality Program is encouraged to attend. We look forward to your participation in this 3-day virtual meeting. However, please note that this meeting doesn't replace the R6 QA training.
Sala Senkayi, 214-665-6477

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