

# Clean Water Indian Set-Aside Emerging Contaminant Program

August 29, 2024

Region 9 Water Division

# Presentation Overview

- ▶ What is the Clean Water Indian Set Aside Emerging Contaminant (CWISA-EC) Program?
  - ▶ Background
  - ▶ Eligible projects
- ▶ Where does EPA need your input?
  - ▶ EPA's proposed methodology and timeline

# General Information

- ▶ Presence and extent of EC data may be **limited**.
- ▶ Eligible projects for CWISA-EC **are not** required to be identified in the IHS SDS system.
- ▶ Program encourages focus on **identification** of ECs.

# What is a Clean Water Emerging Contaminant?

- ▶ Substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment.
- ▶ Contaminants with water quality criteria established by EPA under CWA section 304(a), except for PFAS, **are not** considered ECs. This includes nutrients (e.g., ammonia, nitrogen, and phosphorus), certain organics, and certain metals.



# Region 9

## Clean Water Indian Set-Aside

### Emerging Contaminant Funds Distribution

Historic CWISA Fund Distribution (Percent Total FY18-22)	EC Distribution (FY22&23 Total)	Proposed Annual EC Distribution (FY24)	Proposed Annual EC Distribution (FY25)	Proposed Annual EC Distribution (FY26)	Proposed EC Distribution (FY22-26 Total)
34.4%	\$2,233,000	\$1,546,000	\$1,546,000	\$1,546,000	\$6,871,000

# CWISA-EC Funding Eligibility



- ▶ Only federally recognized Tribes are eligible for program funds.
- ▶ Projects must:
  - ▶ *Be eligible under section 603(c) of the Clean Water Act,*
  - ▶ *Address one or more ECs, and*
  - ▶ *Result in a water quality benefit.*
- ▶ Projects **are not** required to be identified in the IHS SDS system.

# Examples of Potential CWISA EC Projects

- ▶ Laboratory and sampling equipment purchase
- ▶ Wastewater treatment (centralized and decentralized)
- ▶ Biosolids treatment/disposal
- ▶ Septic-to-sewer conversions
- ▶ Water reuse
- ▶ Source water protection
- ▶ Lagoon improvements and decommissioning
- ▶ Nonpoint source pollution control
- ▶ Stormwater management and treatment
- ▶ Landfill capping and leachate control
- ▶ Cleanup of contaminated sites
- ▶ Groundwater and surface water protection and restoration
- ▶ Planning/assessment



# How will funding be awarded?

- ▶ Direct **grants** to Tribes
- ▶ **Interagency agreements** with IHS
- ▶ EPA-directed **in-kind assistance**
  - ▶ For certain projects (e.g., EC sampling and PER development), EPA contractors can provide direct technical assistance to Tribes.

# EPA-Directed In-Kind Assistance

- ▶ Assisting with **preliminary sampling and monitoring** to identify/characterize contamination from ECs,
- ▶ **Developing projects** to address ECs,
- ▶ Connecting Tribes with **appropriate implementation support/funding**, and
- ▶ Providing **technical assistance** to help Tribes with **project construction support and post-construction support** for communities.

# Consultation and Coordination Schedule

**July 1:** EPA offers leader-to-leader consultation to Tribes.

**July 31:** Informational webinar.

**August 27-29:** Presentation and discussion at RTOC.

**September 6:** Last day to request leader-to-leader consultation.

**September 11:** Consultation webinar.

**September 30:** Consultation concludes.

**October 2024:** EPA finalizes CWISA EC Program prioritization.

Early Engagement occurred March 27 – June 14, 2024.

# Expected Costs for Projects



## Sampling Projects

- \$1,000 - \$20,000



## Planning Projects

- \$20,000 - \$200,000



## Construction Projects

- \$100,000 - \$2,000,000

# Project Ideas from the Informational Webinar

- EC wastewater treatment program
- Fishpond or wetlands treatment for ECs
- Sampling program or plan for ECs
- Assessing the impact of septic systems' effects on groundwater
- Sampling of 6PPD-quinone in roadway runoff
- Addressing pharmaceutical contamination



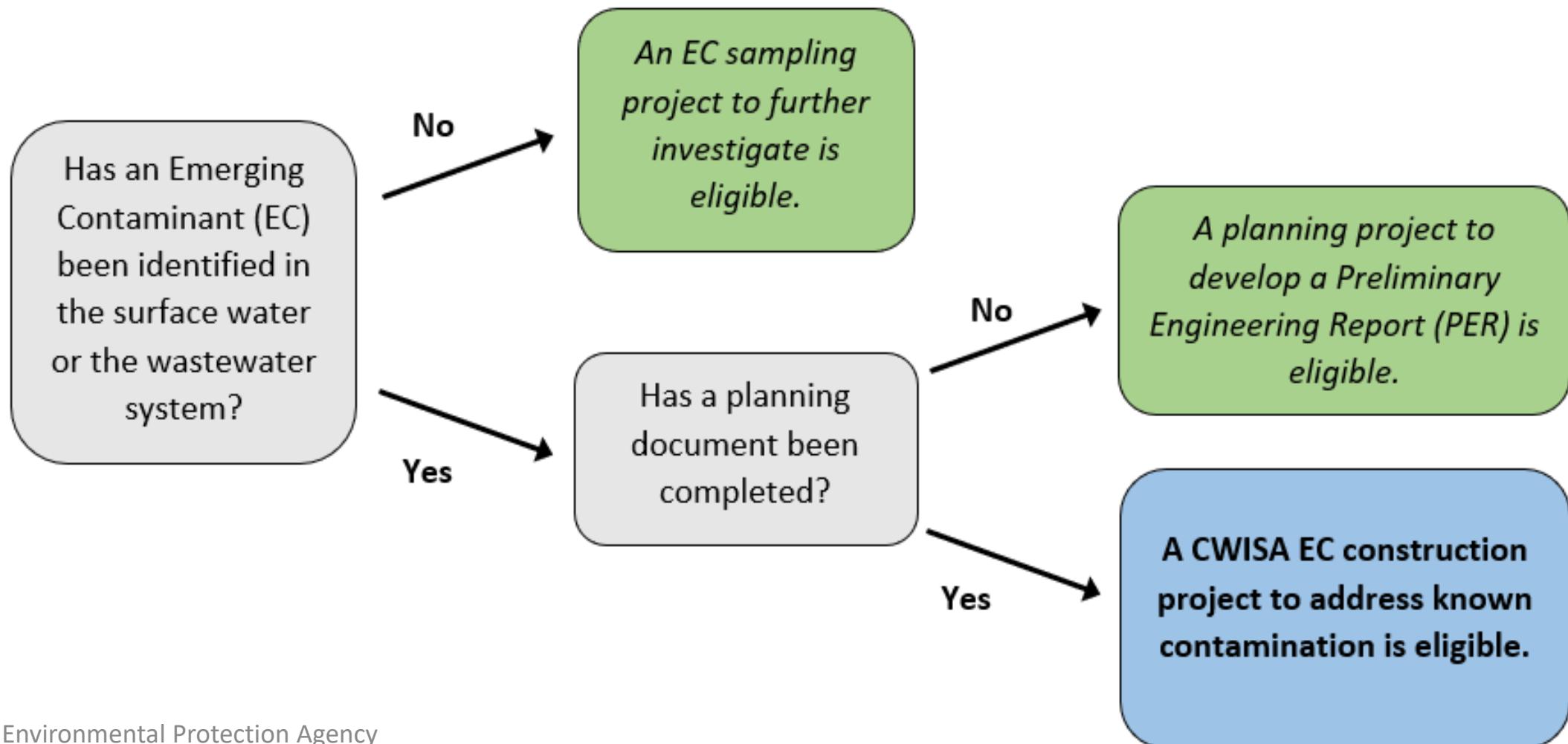
# How Should Region 9 Proceed?

- ▶ As we evaluate options for funding prioritization of projects that meet CWISA EC eligibility requirements, **EPA Region 9 requests your input** on the following aspects of the Program:
  - ▶ *Proposed funding process,*
  - ▶ *Proposed funding timeline, and*
  - ▶ *Potential emerging contaminants for regional sampling programs.*
- ▶ Request Leader-to-Leader Consultation by September 6, 2024.
- ▶ **Tribal Consultation concludes on September 30, 2024.**



*Scan the QR code  
for updates about  
the consultation  
opportunity!*

# Proposed Funding Methodology



# Proposed Funding Timeline

Proposal Submission Steps	
Estimated Timeframe	EPA Actions
	<b>Step 1:</b> Tribe Submits Proposal
2 months	EPA will review proposals for completeness and notify each applicant with requests for additional information.
	<b>Step 2:</b> Tribe Responds to EPA Comments
1 month	EPA reviews final submissions and notifies the Tribe of funding decision, along with guidance letters for projects to be funded through grants.
	<b>Step 3:</b> Tribe submits final documents for Grant, Interagency Agreement, or In-Kind Services
3 months	EPA processes and awards funds for projects.

Based on the actions and estimated timeframes above, it may take approximately 6 months after the initial project proposal is submitted to EPA to receive funding.

# Potential ECs for Regional Sampling Programs

- ▶ EPA seeks Tribal input on whether a **regional sampling program** should be established for any **specific ECs** that are chemicals of concern for Tribes within Region 9.
- ▶ Eligible contaminant groups include:
  - ▶ Per- and polyfluoroalkyl substances (PFAS)
  - ▶ Biological contaminants and microorganisms
  - ▶ Some compounds of pharmaceuticals and personal care products (PPCPs)
  - ▶ Nanomaterials
  - ▶ Microplastics/nanoplastics
  - ▶ Other persistent organic pollutants (POPs)

# CWSRF-Eligible EC Project Case Study

## ► Oklahoma Master Conservancy District Lake Thunderbird EC Assessment Project

- ▶ Project type: nonpoint source/stormwater assessment
- ▶ ECs: PFOS, pesticides, PPCPs
- ▶ Project purpose: To study constructed wetland designs and locations for stormwater treatment and nonpoint source pollution, including treatment for ECs
- ▶ Proposed activities:
  - ▶ Year 1: Additional EC monitoring and evaluation of current efforts in the Lake Thunderbird watershed
  - ▶ Years 2 through 5: Research/development, project proposal development, and plan for pilot and/or full-scale treatment projects
- ▶ For additional case studies, scan the QR code to the right!



***Additional case studies***

# Requests for Feedback

- ▶ Input regarding the proposed funding process
  - ▶ Prioritization of planning/investigatory projects
  - ▶ Support needed to characterize EC contamination
- ▶ Comments on the proposed funding timeline
  - ▶ Rolling submissions vs proposal deadlines
- ▶ Are there any specific ECs you would like to target through a regional sampling program?
  - ▶ e.g., PFAS sampling program?



***R9 CWISA EC  
Website***



***Tribal Consultation  
Opportunity***

# Contact Information

## ***CWISA EC Program Coordinators***

Nancy Sockabasin

[Sockabasin.Nancy@epa.gov](mailto:Sockabasin.Nancy@epa.gov)

Amita Muralidharan

[Muralidharan.Amita@epa.gov](mailto:Muralidharan.Amita@epa.gov)

## ***Tribal Infrastructure Section Manager***

Emmanuelle Rapicavoli

[Rapicavoli.Emmanuelle@epa.gov](mailto:Rapicavoli.Emmanuelle@epa.gov)