



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**



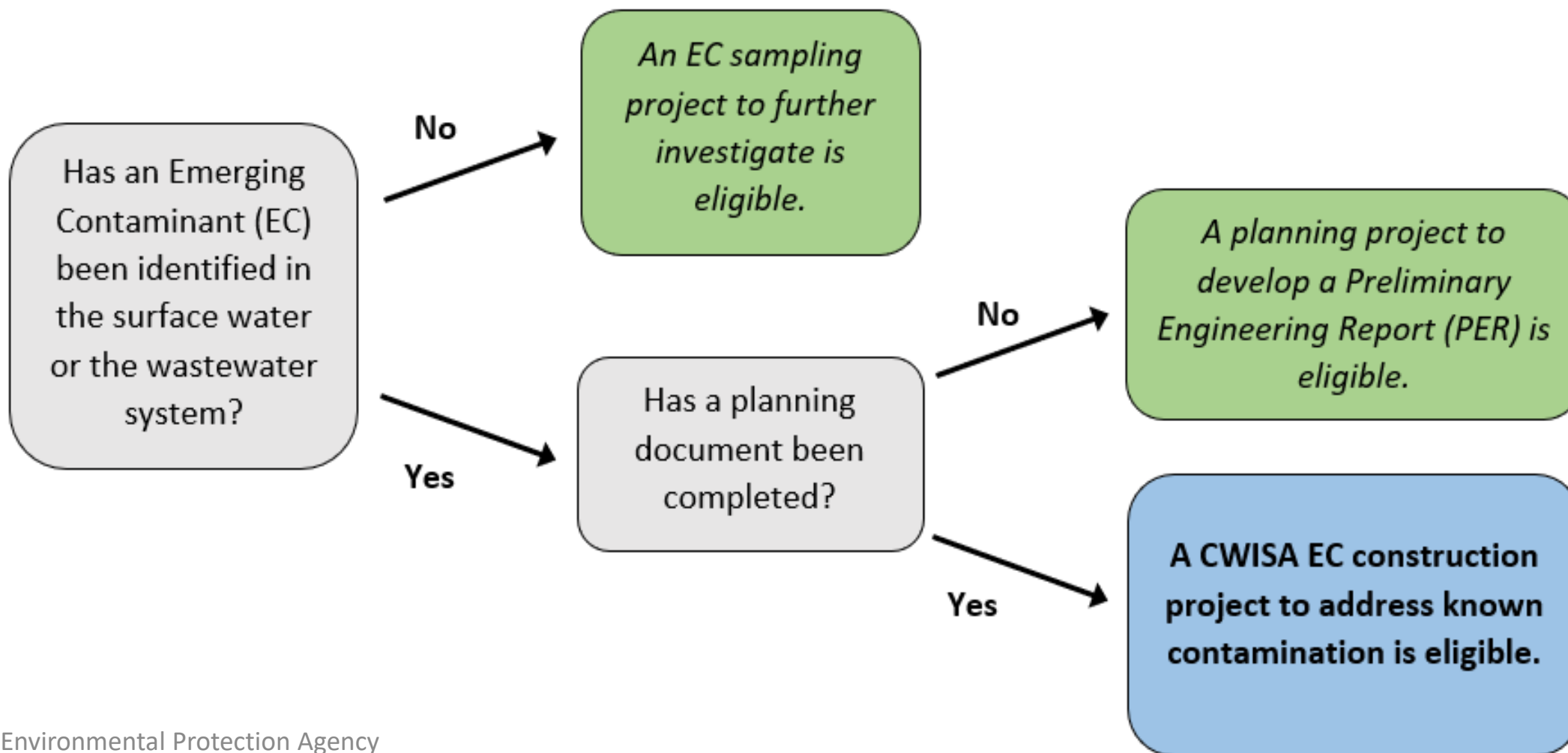
How Should Region 9 Proceed?

- ▶ 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
Step 1: Tribe Submits Proposal	
2 months	EPA will review proposals for completeness and notify each applicant with requests for additional information.
Step 2: 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.
Step 3: 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

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