

Summary of Early Engagement with our Partners on FY 2016-2017 Priorities

Office of Solid Waste and Emergency Response

Process: In late June 2014, OSWER’s Assistant Administrator initiated early engagement with our partners by convening a meeting/ conference call with participants from the Environmental Council of the States, the Association of State and Territorial Waste Management Officials, the National Tribal Caucus, Tribal Waste and Response Assistance Program Steering Committee, tribal co-regulators, EPA’s lead regions for Superfund and RCRA and OSWER’s program offices. OSWER also held a separate call with its local government partners. During these calls, OSWER highlighted its National Areas of Focus for FY 2014 and FY 2015 as the basis for priority work in FY 2016 and beyond. The process by which OSWER would seek input from its partners also was described.

Between June and August, OSWER program offices held in person meetings and conference calls with their state and tribal partners to discuss priorities and other issues important to our partners. OSWER also held two national calls with federally-recognized tribes, one related to Superfund/ Brownfields and the other to RCRA and LUST priorities. In October, OSWER began regrouping with the participants of our initial meetings to discuss the process used for early engagement and the priorities or issues that were identified.

Date of Contact	Venue	EPA/ OSWER FY 2016-2017 Priorities Discussed	Priorities/ Issues Raised by State, Tribal or Local Partner
June 12, 2014	Meeting with EPA/ ASTSWMO Superfund & Brownfields Task Force	Provided participants with EPA FY 2014 and FY 2015 strategic plan priorities.	Stability of CERCLA 128(a) funding for the states is very important. Maintain financial stability and predictability. Embrace non-NPL outcomes at assessed sites. Continue groundwater cleanup effort.
July 1, 2014	EPA OUST/ASTSWMO Tanks	Described 2016/17 NPM Guidance process to ASTSWMO.	None.

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	Subcommittee Monthly Call		
July 1, 2014	EPA OEM /ASTSWMO conference call: Status Update on Executive Order on Improving Chemical Facility Safety & Security	Status update: Progress with implementing Executive Order 13650. EPA's presentation focused on information sharing on chemical facilities and EO activities pertaining to LEPCs, SERCs and TERCs.	No specific issues raised. ASTSWMO participants found the status update to be interesting and helpful.
July 16, 2014	EPA OSWER conference call with tribes concerning CERCLA program priorities	OSWER program office representatives tracked OSWER's FY 2014 NPM Guidance and FY 2015 Addendum to offer a similar and concise summary of what they anticipated their program priorities would be for FYs 2016-2017.	Brownfields priorities and concerns raised include a request to consider a separate technical assistance to support tribes and an emphasis on the importance of CERCLA 128(a) funding to support establishing tribal response programs.
July 16, 2014	EPA OSWER conference call with tribes concerning RCRA program priorities	OSWER program office representatives tracked OSWER's FY 2014 NPM Guidance and FY 2015 Addendum to offer a similar and concise summary of what they anticipated their program priorities would be for FYs 2016-2017.	Tribal representatives' inquiries were focused on programmatic based questions rather than program priorities. However, technical assistance to tribal governments was highlighted as it relates to Brownfields work.
July 28, 2014	EPA ORCR/ ASTSWMO Conference call	ORCR provided a PowerPoint that outlined the new process and the GPRA goals for the Office. ORCR also described additional long-term projects that do not have GPRA measures (e.g., rulemakings coming out, e-manifest).	Partners continued to support early discussions on goals and priorities as we begin to develop the NPM Guidance. No significant issues raised.
July 29, 2014	EPA OSWER early engagement on priority-setting	OSWER program office representatives tracked OSWER's FY 2014 NPM Guidance and FY 2015 Addendum to offer a similar	A question was posed concerning the availability of funds for Brownfields area-wide plans, but no substantive feedback on priorities.

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	for local governments, conference call	and concise summary of what they anticipated their program priorities would be for FYs 2016-2017.	
July 30, 2014	Meeting with EPA/ ASTSWMO Brownfields Task Force, conference call	<p>Brownfields Area-Wide Planning Program – Enabling community-level reuse planning for targeted areas that are affected by a single large, or multiple, brownfield site(s).</p> <p>Brownfields Revolving Loan Fund Program – Develop recommendations and strategies to improve the effectiveness of the program and address the unsuccessful programs.</p> <p>Prioritize technical assistance for small and rural communities.</p> <p>Build Tribal Response Program Capacity – Continuing to support tribes to establish and enhance their response programs and assess, cleanup and redevelop brownfields.</p>	<p>Stability of CERCLA 128(a) funding for the states is very important.</p> <p>Many states rely on 128(a) funding to support salaries and capacity building, while some state legislatures can support fees/revising fees, it will take time to build reserves to support the program.</p> <p>One state mentioned that they are concerned with state cuts to support building tribal programs.</p> <p>States have capacity to support small and rural communities within their program – recommend looking at avenues to pass technical assistance through the states to help those communities address brownfields.</p> <p>Question was posed about the impact or how will climate change/adaptation be incorporated into 128(a).</p> <p>Recommend reaching out and including states at partners in the HUD-DOT-EPA projects /communities.</p> <p>Auto Sector Communities still need a lot of support and large communities also need technical support to build capacity (i.e. don't focus only on small and rural communities).</p> <p>Include states on other partnerships (e.g., USDA) and inform states what resources are available for new administration initiatives (e.g., Promise Zones).</p>

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			<p>The primary focus of the program should be assessing and cleaning up brownfields sites. Other initiatives, while important, can appear to be mission creep and detract from primary focus (examples include environmental workforce and job training program, area-wide planning and energy initiatives).</p> <p>Brownfields sites going through voluntary programs now are taking longer address the contamination and issue a no further action letter – partly because more complicated sites are going through the programs than 10 years ago and because of addressing new issues such as emerging contaminants and appropriately addressing vapor intrusion (e.g., it is difficult to make sure environmental professionals fully understand the risks of vapor intrusion and know how to make appropriate decisions so the site is still protective based on future use).</p>
August 5, 2014	EPA OUST/ASTSWMO Tanks Subcommittee Monthly Call	Backlog Reduction, Emerging Fuels, Climate Adaptation and Environmental Justice.	<p>ASTSWMO appreciated the opportunity to participate in the early engagement process and they had no issues. They did provide some useful inputs.</p> <p>States appreciated recognition of state specific closure standards – See page 6 of FY 14 NPM guidance. One state expressed (and others agreed) a desire to include expanded definition of emerging fuels to include Ultra Low Sulfur Diesel/Ultra Low Sulfur Gas.</p> <p>Several states agreed that it would be helpful to include more specific information related to OUST’s work on climate adaptation and environmental justice. What are EPA’s expectations of the states?</p>
March –	Comments		Summary of written comments concerning Brownfields program

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August, 2014	concerning FY 2016-2017 priorities received by email		<p>priorities:</p> <p>More technical assistance <u>and funding</u> for small towns (<5,000 people) and rural counties. Prioritize funding for old oil & gas fields.</p> <p>Effective and established statewide Brownfield programs should be prioritized to receive 128(a) funding and 104(k) ARC grants. More federal 128(a) funding is needed to support brownfield remediation an economic development. ARC grant process would be more effective if more grants were given to the states, particularly to support small and rural communities, successful applicants should be able to apply for Assessment grants annually, and focus on remediation and redevelopment and eliminate inefficient or non-relevant initiatives.</p> <p>Include state-agency with AWP recipients to provide additional support. Focus on successful existing RLFs instead of awarding new RLFs annually, funding go towards RLF supplemental or assessment/cleanup. States should always be included in outreach/technical assistance to small and rural communities. Recommend TAB to support tribal capacity building but don't reduce the support given to other communities. Recommend eliminating funding for Repowering America to support tribal capacity. Recommend that 128(a) funding does not support poor performing tribal recipients.</p>