

Tribal Waste Management Assessment Program Form for Evaluation of a Tribe's Solid Waste Management Capacity

EPA Office of Resource Conservation and Recovery

Updated February 2021

Background: The 2017 [Memorandum of Understanding](#) (MOU) between the Department of Health and Human Services and the U.S. Environmental Protection Agency (EPA) to Improve Open Dump, Solid Waste Projects and Programs in Indian Country identified core components that should be present to ensure the effectiveness and sustainability of an American Indian and Alaska Native (AI/AN) community waste management program. These components are reflected in the Tribal Waste Management Assessment Form (Form) (identified as Capacity Indicators E3.5 through E.3.18 in the May 15, 2013 [Indian Environmental General Assistance Program: Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia](#)). These components provide the basis for EPA's evaluation of a tribe's waste management program capacity and eligibility for Indian Health Service (IHS) open dump closure assistance.

The MOU provides the guidelines on how the IHS will consult with EPA to address the closure of open dumps or inadequate solid waste facilities on tribal lands. The September 2019 IHS [Sanitation Deficiency System \(SDS\): A Guide for Reporting Sanitation Deficiency for American Indian and Alaska Native Homes and Communities](#) (Guide) establishes the process of implementation, from validating a tribe's solid waste management program to identifying and removing solid waste deficiencies through approved projects or other means.

The September 2019 IHS Guide establishes that certifying that a solid waste project is "Ready to Fund" involves coordination with EPA:

"As part of certifying that a solid waste project is "Ready to Fund" (see Section 8a), the Area SFC Director shall confirm that an ISWMP exists for the Tribe and shall coordinate with the regional EPA solid waste contact (and other responsible parties) to ensure that EPA has completed an evaluation of the Tribe's solid waste management capacity. EPA is responsible for regular assessments, evaluations, and reporting on tribal solid waste management programs, including analysis of their effectiveness in reducing open dumping activities."

For the purposes of this form, the term Integrated Solid Waste Management Plan (ISWMP) as defined by IHS is equivalent and interchangeable with Integrated Waste Management Plan (IWMP) as defined by EPA.

Instructions: The Form will be circulated to several parties. The process is outlined below.

1. The Tribe will complete the Capacity Indicators section on Pages 2-4 of the Form and submit it to their EPA Regional office for review.
2. The EPA Region makes a determination on Page 4 and sends the document to EPA Headquarters (ORCR) for concurrence.
3. ORCR makes a determination and sends the document back to the EPA Region.
4. EPA Region sends the completed document to the tribe.
5. EPA Region sends the completed document to IHS.

TRIBAL WASTE MANAGEMENT PROGRAM ASSESSMENT FORM

To be completed by the EPA Regional Office and Tribe

Date of Form Receipt by EPA:

Reviewer's Name, Branch and EPA Region:

Tribe's Name:

Capacity Indicators	Component Evaluation	Status
	Describe activities that demonstrate the Capacity Indicator is in development or has been completed.	Highlight which stage best describes the component currently, and a reasonably forecasted date for completion /full implementation if not yet fully implemented
<p>E.3.5</p> <p>Tribe is conducting community education and outreach activities to enhance community knowledge and interest in source reduction, alternatives for managing household hazardous waste, recycling, composting, and the use of green materials in tribal construction and to promote the use of such integrated solid waste management systems.</p>		<p><i>Early Planning</i></p> <p><i>In Development</i></p> <p><i>Waiting for Approval</i></p> <p><i>Partially Implemented</i></p> <p><i>Fully Implemented</i></p> <p><i>Date:</i></p> <p><i>Each of the Capacity Indicators must reach Fully Implemented prior to final closure operations.</i></p>
<p>E.3.6</p> <p>Tribe has completed a waste assessment (e.g., a waste stream composition study; characterization of the solid and hazardous waste management practices, facilities, and issues in the community; evaluation of current waste management system(s) effectiveness; waste collection, transportation and disposal options and associated costs).</p>		<p><i>Early Planning</i></p> <p><i>In Development</i></p> <p><i>Waiting for Approval</i></p> <p><i>Partially Implemented</i></p> <p><i>Fully Implemented</i></p> <p><i>Date:</i></p> <p><i>Each of the Capacity Indicators must reach Fully Implemented prior to final closure operations.</i></p>

Capacity Indicators	Component Evaluation	Status
<p>E.3.7 Tribe has a tribally approved Integrated Waste Management Plan (IWMP).</p>	<p>Document activities that demonstrate the Capacity Indicator is in development or has been completed.</p>	<p>Highlight which stage best describes the component currently, and a reasonably forecasted date for completion /full implementation if not yet fully implemented</p> <p><i>Early Planning</i></p> <p><i>In Development</i></p> <p><i>Waiting for Approval</i></p> <p><i>Partially Implemented</i></p> <p><i>Fully Implemented</i></p> <p><i>Date:</i></p> <p><i>Each of the Capacity Indicators must reach Fully Implemented prior to final closure operations.</i></p>
<p>E.3.8 Tribe has established a program to provide waste minimization, recycling, household hazardous waste collection, used oil collection, junk vehicle removal, bulk waste/appliance/electronic waste collection, and/or composting.</p>	<p>Document activities that demonstrate the Capacity Indicator is in development or has been completed.</p>	<p><i>Early Planning</i></p> <p><i>In Development</i></p> <p><i>Waiting for Approval</i></p> <p><i>Partially Implemented</i></p> <p><i>Fully Implemented</i></p> <p><i>Date:</i></p> <p><i>Each of the Capacity Indicators must reach Fully Implemented prior to final closure operations.</i></p>

Capacity Indicators	Component Evaluation	Status
<p>E.3.17</p> <p>Tribe has enacted waste management laws, codes, and/or regulations with effective compliance assurance and enforcement mechanisms (including anti-littering provisions and protocols to address small-scale dumping/burning activities).</p>		<p>Highlight which stage best describes the component currently, and a reasonably forecasted date for completion /full implementation if not yet fully implemented</p> <p><i>Early Planning</i></p> <p><i>In Development</i></p> <p><i>Waiting for Approval</i></p> <p><i>Partially Implemented</i></p> <p><i>Fully Implemented</i></p> <p><i>Date:</i></p> <p><i>Each of the Capacity Indicators must reach Fully Implemented prior to final closure operations.</i></p>
<p>E.3.18</p> <p>Tribe has established and implemented a compliance monitoring and enforcement strategy for the tribe’s solid and hazardous waste management laws, codes, and/or regulations.</p>		<p><i>Early Planning</i></p> <p><i>In Development</i></p> <p><i>Waiting for Approval</i></p> <p><i>Partially Implemented</i></p> <p><i>Fully Implemented</i></p> <p><i>Date:</i></p> <p><i>Each of the Capacity Indicators must reach Fully Implemented prior to final closure operations.</i></p>
<p>EPA Determination:</p>	<p>Approve</p>	<p>Disapprove</p>
<p>Reason for approval/disapproval</p>		
<p>EPA Regional Concurrence</p>	<p>Name:</p>	<p>Date:</p>
<p>EPA HQ’s Office of Resource Conservation and Recovery (ORCR) Concurrence</p>	<p>Name:</p>	<p>Date:</p>

Statement from EPA Region to IHS Regarding Verification of Tribal Solid Waste Management Program Assessment

Instructions: After ORCR concurrence on the assessment form, the EPA Region must complete this statement summarizing findings by filling in the blanks below. Please include the tribe's name in the subject line. When complete, the EPA regional office must send the statement to the IHS area office that corresponds to the location of the tribe. Send the completed form (pages 1-5) as an attachment to the Tribe and the appropriate IHS Area Office.

Date:

To: Indian Health Service

Area Office

Attention, IHS Staff Contact:

RE: Verification of Tribal Solid Waste Management Program Assessment for

In accordance with the requirements of the *Sanitation Deficiency System (SDS), A Guide for Reporting Sanitation Deficiencies for American Indian and Alaska Native Homes and Communities*, this memorandum attests that EPA has verified that the Tribal Waste Program Assessment Form for the Tribe has been completed. Please note the following:

- The Tribe _____ a tribally approved Integrated Waste Management Plan (IWMP) as of this date: _____.
- We have evaluated the solid waste management program and have determined that measures _____ been taken that will be effective in reducing open dumping activities.

From: EPA Region and Branch

Name of EPA Regional Staff: