

NAVAJO NATION CAPACITY BUILDING PLAN

*Federal Actions to Provide Workforce Development and
Resources on the Navajo Nation*

2022–2029





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LIST OF ACRONYMS

AEC	Atomic Energy Commission
BIA	Bureau of Indian Affairs
BMP	Best management practice
CBP	Capacity Building Plan
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
DOE	United States Department of Energy
DOI	United States Department of Interior
DPM	Department of Personnel Management
DRUM	Defense-Related Uranium Mines Program
GIS	Geographic information system
IDP	Individual Development Plan
IT	Information technology
LAN	Local area network
LDP	Leadership development program
NAUM	Navajo Abandoned Uranium Mine
NN	Navajo Nation
NNAML	Navajo Nation Abandoned Mine Lands Reclamation Program
NNDOJ	Navajo Nation Department of Justice
NNEPA	Navajo Nation Environmental Protection Agency
NNOMB	Navajo Nation Office of Management and Budget
NNOOC	Navajo Nation Office of the Controller
NSP	Navajo Superfund Program
PCQ	Position classification questionnaire
PRP	Potentially responsible party
RECA	Radiation Exposure Compensation Act
USEPA	United States Environmental Protection Agency



EXECUTIVE SUMMARY

The federal government is addressing the legacy of uranium contamination on the Navajo Nation (NN). Since 2008, the federal government has secured \$1.7 billion to assess and begin the cleanup process at 219 mines, conducted legacy management at the former uranium mills, remediated 52 contaminated structures, funded projects that will provide access to safe drinking water for 3,809 homes, conducted health studies, coordinated community outreach, and provided training for Navajo workers and contract opportunities for Navajo businesses.

This Capacity Building Plan (CBP) originates from the Navajo Abandoned Uranium Mine (NAUM) Ten-Year Plan (2020–2029), which is part of the Navajo Workforce Development Goals for the Next Ten Years. The CBP identifies opportunities, challenges, and resources that contribute to the Ten-Year Plan for building capacity within the NN. These items were consolidated into nine focus areas: (1) ensure adequate staffing, (2) support contracts and grants, (3) augment infrastructure, (4) expand training opportunities, (5) preserve and retain institutional knowledge, (6) develop leaders, (7) expand Navajo Nation Environmental Protection Agency (NNEPA) enforcement, (8) guarantee funding, and (9) maintain the CBP. This CBP is a working document that will be reviewed and updated on an annual basis or as needed.

The CBP summarizes information gathered by a Capacity Building Workgroup. On March 22 and 23, and April 12, 2022, members of the Navajo Nation Abandoned Mine Lands Program (NNAML), NNEPA, and the United States Environmental Protection Agency (USEPA) Region 9 gathered in Gallup, New Mexico, to discuss the CBP. The goals of these meetings were to gather information for the CBP, put the elements of the NAUM program into context, and identify and discuss specific areas that will be included in the CBP. The following partners will implement this plan: USEPA, NNAML, and NNEPA. While the last 10 years represent a significant start in addressing capacity building within the NN, much work remains.

The NN is actively engaged in all aspects of the NAUM work, and the accomplishments to date would not be possible without the involvement of the Navajo Nation Office of the President and Vice President, the Navajo Nation Council, NNEPA, NNAML, chapter officials, community members, and other organizations.

SUMMARY OF GOALS FOR THE NEXT TEN YEARS

Focus Area #1: Ensure Adequate Staffing	Agencies will develop an adequate Navajo NAUM workforce that will effectively distribute NAUM workload among the Navajo agencies and sustain this workforce to meet the targets of the Ten-Year Plan.
Focus Area #2: Support Contracts and Grants	Navajo agencies will work to augment and streamline management of contracts and grants and improve communication to support in the awarding of funds. This will provide a reliable stream of funding to ensure timely and consistent support for the NAUM program.
Focus Area #3: Augment Infrastructure	Navajo agencies will improve upon the lack of adequate infrastructure and improve support of ongoing projects by providing up-to-date equipment, networks, and technology. Agencies will make locating an adequate office building for the Navajo Superfund Program (NSP) a priority.
Focus Area #4: Expand Training Opportunities	All agencies will expand training opportunities to enable staff and management to fulfill their respective roles. This will build a skilled and knowledgeable workforce that will ensure quality, credible work, and proper health and safety.
Focus Area #5: Preserve and Retain Institutional Knowledge	All agencies will conduct thorough research of all past and current forms of information and consolidate this knowledge into a shared repository that can be accessed by various agencies. A shared portal, a website, and geographic information system (GIS) files will be used to easily exchange information among various agencies and the public.
Focus Area #6: Develop Leaders	All agencies will develop Navajo staff to achieve goals for understanding and succession, thereby developing effective, successful personnel who can provide clear direction and achieve goals and objectives. Professional leadership growth will be nurtured to ensure this succession.
Focus Area #7: Expand NNEPA Enforcement	Federal agencies will contribute to increasing NNEPA's role in program enforcement, thereby enabling NNEPA to exercise NN Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) fully and independently, including selecting final cleanup options at sites. This supports NNEPA's mission of protecting human health and the environment and creates opportunities for the NN to be directly funded for oversight and to secure funding to assess and cleanup sites.
Focus Area #8: Guarantee Funding	All agencies will ensure that funds are spent according to terms and that funding is sustainable and adequate to perform what is required of each partner agency.
Focus Area #9: Maintain Capacity Building Plan	All partners will maintain the CBP and ensure progress toward the goals, tasks, activities, and outcomes.

SUMMARY OF ACCOMPLISHMENTS



Support Contracts and Grants

2008–Present: USEPA awarded over \$16 million in cooperative agreements to NN agencies and over \$7.85 million in contracts to Navajo-owned businesses.

2008: USEPA awarded over \$11 million to the NNEPA Superfund Program.

2019: USEPA awarded Clawson Excavating, Inc. a contract for \$1 million for a time-critical removal action in Cove to implement erosion control measures at Mesa II Mine.

2019: USEPA released a Request for Proposal for the Navajo Area Abandoned Mines Response and Construction Services Contract worth an estimated \$220 million. It was open for proposals exclusively from small businesses.



Augment Infrastructure

2008–Present: USEPA awarded \$3.08 million to NN Community Housing Infrastructure and Development for the replacement of 12 contaminated structures.



Expand Training Opportunities

2012–2016: USEPA's Superfund Job Training Initiative trained 19 Navajo community members.

2012–2016: NNEPA partnered with the Northern Arizona University Institute for Tribal Environmental Professionals on an environmental workforce development and job training program funded by USEPA. A class of 36 Navajo community members graduated from a 4-week training about hazardous waste operations, site worker safety standards, radiation hazards, other workplace health hazards, and cultural response to hazardous environments.

2012–Present: USEPA awarded \$1.37 million to NNAML for technical assistance and \$809,467 to Diné College to determine the impact of abandoned uranium mines on the Cove watershed, and to date provided learning opportunities to 87 individuals as internships.



Maintain Capacity Building Plan

2008–Present: USEPA awarded Tetra Tech, Inc. the Response, Assessment, and Evaluation Services Contract for \$85 million over 5 years. This is the first known contract that included evaluation criteria explicitly developed to encourage capacity building on the NN.



BRIEF HISTORY OF NAVAJO URANIUM MINING

The NN encompasses more than 27,000 square miles in the Four Corners region of Arizona, New Mexico, and Utah. The unique geology of the region makes the NN rich in uranium, a radioactive ore in high demand after the development of atomic power and weapons at the close of World War II in the 1940s. Approximately 30 million tons of uranium ore were extracted during mining operations on or near the NN from 1944 to 1989. The federal government (that is, the Atomic Energy Commission [AEC]) was the sole purchaser of uranium until 1966. The AEC continued to purchase ore until 1970 although sales to the commercial industry began in 1966. Many Navajo people worked in and near the mines, often living and raising families near the mines and mills.

Uranium mining and milling activities no longer occur on Navajo lands, but the legacy of these activities remains, including former mill sites and abandoned uranium mines. Some homes were built from mine and mill site materials. In addition, water sources were contaminated by the former uranium mills and may also be contaminated by abandoned mines. Uranium and other elements (vanadium, selenium, arsenic, etc.) are associated with mine and mill sites although the same constituents occur naturally in rock, soil, surface water, and groundwater across the NN and the broader Four Corners region. Health effects because of non-occupational exposure to these elements can include lung cancer and impaired kidney function.

For Navajo miners, millers, and their families, health consequences of uranium mining and milling have been widespread. In 2000, Congress expanded the Radiation Exposure Compensation Act (RECA) to provide monetary compensation to individuals who were diagnosed with certain cancers and other serious diseases following their occupational exposure to radiation while employed in the uranium industry during the Cold War arsenal buildup. As of March 14, 2018, 1,431 RECA claims have been awarded on behalf of Navajo uranium miners, millers, and ore transporters for illnesses from occupational radiation exposure.

In October 2007, at the request of the United States House Committee on Oversight and Government Reform, USEPA, along with the Bureau of Indian Affairs (BIA), Nuclear Regulatory Commission, United States Department of Energy (DOE), and Indian Health Service, developed the first Five-Year Plan (2008–2012) to address uranium contamination. The agencies then prepared a second Five-Year Plan (2014–2018) by building on the work in the previous plan. More recently, the agencies prepared the Ten-Year Plan (2020–2029), which represents the commitment of the federal agencies to continue working with the NN to reduce health and environmental risks and find long-term solutions to the remaining uranium issues on the NN. This CBP (2022–2029) was prepared by NNAML, NNEPA, and USEPA and represents a commitment to building capacity on the NN by developing the Navajo workforce. The Ten-Year Plan and this CBP were delayed because of the COVID-19 global pandemic.



FOCUS AREA #1: ENSURE ADEQUATE STAFFING

Main Intent

Agencies will develop an adequate Navajo NAUM workforce that will effectively distribute NAUM workload among the Navajo agencies and sustain this workforce to meet the targets of the Ten-Year Plan.

Current State

On the NN, the job turnover rate is high. This may be because salaries are not competitive with off-reservation employment, housing is not available near jobs, and the cost of living is high. For these reasons, members of the NN do not feel motivated to take available jobs. Currently, NNEPA does not have sufficient staff to perform the NAUM work, a hiring plan for recruiting new staff, or an adequate NSP office building. Addressing job concerns on the NN and making improvements within NNEPA and NNAML will help fulfill staffing needs at NNEPA and NNAML. USEPA could also benefit from establishing field offices near NAUM sites to promote unity, develop transparency between agencies, and support NAUM work.

Measures of Success

One-Year Goals:

- NNEPA will draft a hiring plan for recruiting new employees and prioritize filling open positions.
- NNEPA will identify partnerships, fellowships, internships, and other opportunities with tribal colleges.
- NNEPA will create more technical and administrative positions.
- NNEPA will identify a way to make job vacancy announcements accessible for the NN.
- NNEPA will identify ways to incentivize hiring, such as fellowships, signing bonuses, tuition support, etc.
- All agencies will begin identifying funds to support additional staffing.
- NSP will obtain additional accounting support.

Three-Year Goals:

- NNEPA will make progress toward filling vacancies.
- USEPA will fully staff field offices in Flagstaff and Window Rock, Arizona.
- NNEPA will chart and encourage the progression of staff via promotions, pay increases, and senior positions into company policies.
- NNEPA will provide tuition support for employees that work on NAUM projects via environmental scholarships and grants.

- All agencies will complete 1-, 3-, and 5-year staffing plans to ensure adequate support.

Key Components/Actions

- NNEPA will become the lead enforcement agency on NAUM projects.
- NNEPA will work with the Department of Personnel Management (DPM) to address hiring plan elements (such as position classification questionnaires [PCQ] and salaries) for recruiting new employees and to address training needs on DPM policy and procedures.
- NNEPA will begin updating all company policies to incorporate its current and aspirational structures.
- Navajo agencies will subcontract for technical support staff to work on projects such as those under the NN CERCLA.
- NSP will supplement technical support staff with technical support contractors.
- All agencies will begin identifying stakeholders, partnerships, and workgroups to explore staffing incentive opportunities, such as bonuses, retention, and scholarships.
- Navajo agencies will update or obtain required equipment, computers, and building space in anticipation of additional staff.
- NNEPA will begin researching rental locations and obtain references to real estate organizations that can help employees obtain homes. NNEPA will need to find a way to make this information accessible to employees and regularly update it.

Potential Barriers

- Lack of office space for employees
- Lack of housing on the NN
- Inaccessibility of accompanying infrastructure (utilities, information technology [IT], etc.)
- Low NN salaries based on an outdated pay scale and PCQs
- Current staff not familiar with DPM policy
- Lengthy budget process consisting of contracts and budget forms
- NSP has no direct hiring authority
- Perceived lack of qualified applicants

Resources Available

- Universities and colleges
- Tribal programs
- USEPA contracts
- Real estate organizations
- Subcontractors
- DPM, Navajo Nation Office of Management and Budget (NNOMB), and Navajo Nation Office of the Controller (NNOOC)



FOCUS AREA #2: SUPPORT CONTRACTS AND GRANTS

Main Intent

Navajo agencies will work to augment and streamline management of contracts and grants and improve communication to support in the awarding of funds. This will provide a reliable stream of funding to ensure timely and consistent support for the NAUM program.

Current State

NNEPA received five Superfund grants with budgets of a total value of \$2 million. NSP currently manages 21 accounts. NNEPA will need to establish procedures for CERCLA cost recovery. Additionally, NNAML received USEPA grants over \$1 million. The current grant processes are burdensome and bureaucratic, and the process needs to be streamlined. This includes the current 164 Review Process for external funding.

Measures of Success

One-Year Goals:

- NNEPA and NNAML will complete the closeout of all outstanding grants.
- NSP will issue requests for proposal for technical contractor assistance.
- NSP will implement ongoing training to employees and have grants in place by October 1 of each year.
- Impacted staff will complete training such as on the NNOMB Budget Instruction Manual, procurement, and contracts.

Three-Year Goals:

- NNEPA will be fully staffed with a grants administrator and a technical contract.
- Navajo agencies will be awarded multiyear grants to support multiyear projects where feasible.
- NNOOC to have a 7-day review process for funds to be made available.

Key Components/Actions

- NSP will supplement technical support staff with technical support contractors by developing the capability for contracting.
- NNEPA will appoint a lead to develop contracting steps and take contracting officer's representative training.
- NNEPA will identify and begin facilitating smoother procedures for reprogramming.
- NNEPA will begin drafting a budget instruction manual.

- NNAML will begin incorporating the goals of the CBP and Ten-Year Plan into its company performance goals.
- Navajo agencies will work on keeping communication open with NN financial offices.
- USEPA and NNEPA will hold a summit with the Navajo Finance Department, specifically NNOOC and NNOMB, to identify issues and solutions.
- NNEPA and NNAML will work on developing a balanced budget so that deliverables are accounted for at reasonable personnel costs and strategic planning outcomes.
- NNOOC will minimize the review time for grants and contracts.
- Navajo agencies will obtain fully trained contract and financial officers.

Potential Barriers

- Adequate guaranteed funding in place to award contracts
- NNOOC and NNOMB take 2 to 5 months to make funds available
- Reprogramming procedures are not simple
- Personnel budget becomes more top heavy than operational
- Agencies and positions have high external turnover rates within DPM, NNOOC, and NNOMB and of USEPA project officers and remedial project managers
- Agency lack of collaboration

Resources Available

- Funding agencies
- USEPA, NNOOC, NNOMB, and DPM
- USEPA Office of Mountains, Deserts and Plains



FOCUS AREA #3: AUGMENT INFRASTRUCTURE

Main Intent

Navajo agencies will improve upon the lack of adequate infrastructure and improve support of ongoing projects by providing up-to-date equipment, networks, and technology. Agencies will make locating an adequate office building for the NSP a priority.

Current State

The NN is in urgent need of modern infrastructure. Field equipment, networks, and technology are all out of date. NNEPA would benefit from working out of one computer network where resources can be shared, such as launching a local area network (LAN). NNEPA needs additional tribal vehicles to accommodate increased staff.

Measures of Success

One-Year Goals:

- NNEPA will have LAN operable and accessible to all staff.
- NNEPA and NNAML will begin upgrading network infrastructure.
- NNEPA will increase inventory of field equipment.
- NSP will finalize plans and contracts to move into a new location.
- NNAML will find contractors to make building repairs.

Three-Year Goals:

- NSP will be in a new building.
- USEPA will establish a field office near NAUM work.
- Navajo agencies will complete network infrastructure upgrades.
- NNEPA will have reliable access to tribal vehicles.

Key Components/Actions

- Navajo agencies will identify equipment needs.
- Navajo agencies will develop 1-, 5-, and 10-year planning strategies identifying resources needed.
- All agencies will establish a routine backup of data on the central data repository.
- Navajo agencies will retain an IT specialist to upgrade and maintain the network infrastructure.
- Navajo agencies will draft an IT plan.
- USEPA will support Navajo agencies in obtaining funds for augmenting infrastructure.

- Navajo agencies will increase storage capacity for electronic records.

Potential Barriers

- Implementing an internal asset inventory process; agencies routinely need to complete a fixed assets inventory of all equipment and vehicles to receive vehicle insurance
- Implementing a plan for crisis management in case of vehicle accidents, natural disasters, etc.
- Funds tied to infrastructure often have restrictive conditions that need creative solutions
- Lack of funds
- Lack of staff
- Limited building space
- Availability of LAN structure to relocate (lack of high-speed internet)
- Incorporating supply chain issues into planning documents
- Incorporating inflation rates into planning documents
- Incorporating extreme weather and climate change into the cleanup plan
- Ongoing maintenance of equipment

Resources Available

- Navajo Nation Fleet Management
- Navajo Nation Department of Information Technology computer support and storage of servers
- Outside contractors
- College expertise
- Vendors
- Navajo Tribal Utility Authority
- Frontier internet provider



FOCUS AREA #4: EXPAND TRAINING OPPORTUNITIES

Main Intent

All agencies will expand training opportunities to enable staff and management to fulfill their respective roles. This will build a skilled and knowledgeable workforce that will ensure quality, credible work, and proper health and safety.

Current State

Training is available to employees both virtually and in person. Many technical workshops and trainings are held outside NN, and some staff are reluctant to travel because of COVID-19 concerns. Additionally, staff have varying levels of expertise and training is not coordinated among Navajo agencies. Furthermore, Navajo agency staff do not have an Individual Development Plan (IDP).

Measures of Success

One-Year Goals:

Navajo agencies will:

- Develop and implement a survey that will help define training needs.
- Develop a mentoring and training plan for new and existing staff.
- Pilot residential internships.
- Develop a core course training for specific professionals (i.e., Remedial Project Manager, Community Involvement Coordinator, Health Physicist, Accountant, Grant Manager, etc.).
- Create a consolidated training curriculum with various trainings, such as technical, environmental justice, biases, microaggressions, etc.
- Develop and exchange best practices.

Three-Year Goals:

- Navajo agencies will provide staff with IDPs.
- All agencies will make key trainings available to the NN.
- All agencies will develop and share training course schedules.
- Navajo agencies will develop and implement mentorship programs.

Key Components/Actions

- Navajo agencies will explore opportunities for field training.
- Navajo agencies will investigate college reimbursements for classes as professional development.

- Survey tool, an online application used by Navajo agencies, will identify trainings that are needed for particular lines of work and responsibilities.
- Navajo agencies will initiate cross training; for example, field work and health and safety training for administrative staff.

Potential Barriers

- Adequate funding for retention, recruitment, and incentives
- Recruiting new staff
- Attracting and retaining qualified and well-trained staff
- Knowledge retention
- Employee commitment
- Acknowledging skill gaps
- Employee workload preventing training opportunities

Resources Available

- USEPA Training Exchange
- FedTalent
- NN staff development and training center
- DOE Defense-Related Uranium Mines Program (DRUM) and NAUM
- USEPA contractors
- Traditional practitioners
- United States Department of Interior (DOI)
- Navajo Tech University, Diné College, and University of New Mexico



FOCUS AREA #5: PRESERVE AND RETAIN INSTITUTIONAL KNOWLEDGE

Main Intent

All agencies will conduct thorough research of all past and current forms of information and consolidate this knowledge into a shared repository that can be accessed by various agencies. A shared portal, a website, and GIS files will be used to easily exchange information among various agencies and the public.

Current State

Record keeping within the Navajo agencies is fractured. Each agency has its own libraries that are not shared among other Navajo agencies. Some information is on emails, hard copies, USB drives, verbal exchanges, and shared off site or in temporary containers near offices with no searchable inventory. For these reasons, Navajo agencies have difficulty locating needed information. Navajo agencies have also discussed creating a website for public documents relating to Navajo statutes.

Measures of Success

One-Year Goals:

Navajo agencies will:

- Create a list of all important materials and files, including contacts, relevant information, and locations.
- Identify a method for a shared repository; this may be different for Navajo, federal, and state agencies.
- Create and use a shared portal for future work and record keeping.
- Develop and implement best management practices (BMP) to identify staff knowledge and areas to improve.
- Improve how GIS files are used to exchange information.

Three-Year Goals:

Navajo agencies will:

- Complete the shared repository with internal and public spaces.
- Conduct a BMP topic for the annual meeting.
- Establish BMPs as part of a regular business routine.

- Complete and share information regarding shared portals, repositories, servers, etc. to relevant agencies.

Key Components/Actions

- Navajo agencies will develop guidance on what type of information should be saved; for example, data, community outreach, and decision making.
- Navajo agencies will research information by searching through all past emails, memoranda, letters, etc.
- Navajo agencies will identify funding for these tasks, such as dual contracts from other agencies.
- Navajo agencies will identify all potential sources of information, such as memoranda, photographs, interviews, maps, news articles, public meetings, etc.
- USEPA will establish a data portal for the exchange of information between Navajo agencies.

Potential Barriers

- Unresponsive, unsupportive, or indifferent personnel
- Staff or agencies that refuse to share information
- Inability to locate documents or items
- Staff turnover with no transfer of information
- No agreed upon process or guidance on how to take on this massive project
- Disgruntled former employees sabotaging information or files
- No servers to store data

Resources Available

- Navajo Nation Department of Justice (NNDOJ)
- Cultural practitioners
- Record keeping by outside agencies such as USEPA
- Navajo Nation Department of Information Technology



FOCUS AREA #6: DEVELOP LEADERS

Main Intent

All agencies will develop Navajo staff to achieve goals for understanding and succession, thereby developing effective, successful personnel who can provide clear direction and achieve goals and objectives. Professional leadership growth will be nurtured to ensure this succession.

Current State

Leadership support is needed throughout the NN. A training plan should be implemented into the onboarding process for new staff and managers of Navajo agencies. Currently, Navajo agencies are working to provide improvements in team building, mentorship, job shadowing, and trainings in professional development.

Measures of Success

One-Year Goals:

- All agencies will complete a joint leadership training.
- Navajo agencies will create a training program on leadership development.
- Navajo agencies will complete essential onboarding training and tasks for leadership.
- Navajo agencies will obtain contractor support for 360 reviews.

Three-Year Goals:

- Navajo agencies will plan and design a leadership development program (LDP).

Key Components/Actions

- Navajo agencies will begin developing IDPs.
- Navajo agencies will reach out to educational institutions for leadership programs.
- Navajo agencies will investigate integrating culture and language into the training curriculum.
- Navajo agencies will solicit interest from other Navajo government agencies for the LDP.
- All agencies will encourage completing tasks toward leadership goals.
- Navajo agencies will use USEPA contracts for evaluation criteria for leadership trainings.
- Navajo agencies will engage more with Navajo Department of Work Force Development.
- Navajo agencies will incorporate environmental justice awareness into the LDP or IDPs.
- Navajo agencies will form committees or multidisciplinary teams to advance leadership goals.

Potential Barriers

- Lack of communication between staff and management
- Perceived biases between staff and management
- Perceived biases among employees based on gender, age, education, language, culture, etc.
- Lack of support from senior leadership
- Lack of motivation

Resources Available

- Colleges and universities
- Training institutions: Federal Acquisition Institute and Skillpath
- Navajo Department of Workforce Development
- Community partners, political leaders, and traditional leaders



FOCUS AREA #7: EXPAND NNEPA ENFORCEMENT

Main Intent

Federal agencies will contribute to increasing NNEPA's role in program enforcement, thereby enabling NNEPA to exercise NN CERCLA fully and independently, including selecting final cleanup options at sites. This supports NNEPA's mission of protecting human health and the environment and creates opportunities for the NN to be directly funded for oversight and to secure funding to assess and cleanup sites.

Current State

NNEPA has only one cosigned enforcement agreement with USEPA. Additionally, NNEPA had one enforcement agreement for cleanup of a uranium-contaminated site. NNEPA is the supporting agency on all enforcement agreements; therefore, NN CERCLA is not being fully exercised. NNEPA would like to take the lead on more NAUM projects and select cleanup options. Under USEPA enforcement agreements, NNEPA is funded by USEPA and not directly funded by the potentially responsible party (PRP).

Measures of Success

One-Year Goals:

- NNEPA and NNDOJ will implement NN CERCLA training for employees.
- NNEPA will define NN CERCLA enforcement goals.
- Federal agencies will increase the level of direct funding to NNEPA via enforcement agreements.
- Federal agencies will develop a model Administrative Order on Consent for Navajo settlements.
- NNEPA and NNDOJ will implement a NN CERCLA enforcement agreement for the Old Church Rock site.

Three-Year Goals:

NNEPA will:

- Become lead signatory on NN CERCLA enforcement agreements.
- Develop a NN CERCLA enforcement plan defining roles and responsibilities.
- Lead development of funding plans to cover the approximately 300 unfunded NAUM sites.
- Become cosignatory on one consent decree.

Ten-Year Goals:

- NNEPA will be the lead agency for 12 or more NN CERCLA enforcement agreements.

Key Components/Actions

NNEPA will:

- NNEPA will use the Quapaw model in becoming a lead support agency and enforcing NN CERCLA action.
- Use the Cree enforcement agreement as a model for future NN CERCLA enforcement agreements.
- Determine if funding outside counsel to address gaps in NN CERCLA is possible.
- Obtain one to two attorneys to be dedicated to NN CERCLA enforcement.
- Ensure a robust accounting system to support NNEPA cost recovery.
- Retain knowledge through a memorandum of agreement.
- Federal agencies will identify site(s) where NN CERCLA can be used in an enforcement action.

Potential Barriers

- No PRPs are identified for unfunded mines, requiring investigation and enforcement
- Establishing accounting codes for cost recovery
- Reconciling USEPA and funding through cost recovery
- Lack of consensus on cleanup actions

Resources Available

- USEPA, NNDOJ, and NNEPA
- PRPs
- United States Department of Justice, NNOOC, and Navajo Nation Washington Office



FOCUS AREA #8: GUARANTEE FUNDING

Main Intent

All agencies will ensure that funds are spent according to terms and that funding is sustainable and adequate to perform what is required of each partner agency.

Current State

Money is available for program support through various sources. Accessing some funding sources is difficult because funds are often delayed and plans for spending are required before receiving funds. Therefore, the challenges lie in reprogramming budgets and adjusting to grant changes, which can become time consuming.

Measures of Success

One-Year Goals:

- NNEPA will develop work plans for all funding resources, such as special revenue accounts, and identify deliverables.
- Navajo agencies will complete 1-, 3-, and 5-year staffing plans to ensure adequate funding.
- NNEPA will review its strategic plan to see if the funding strategy needs improvement.
- Navajo agencies will facilitate a summit with NN financial offices.

Three-Year Goals:

- NNEPA will become a lead support agency.
- Navajo agencies will review and update their funding strategies.
- Navajo agencies will ensure funding is part of all multiyear strategy discussions.

Key Components/Actions

- NNEPA will check if other funding sources can also be provided (i.e., DOE DRUM funds).
- NNEPA will apply for the Hard Rock Mine Reclamation Grant.
- All agencies will identify and correlate work to include in funding negotiations 1 year ahead.
- All agencies will investigate how to incorporate Multi-Site Cooperative Agreement funding into Navajo contracts.
- All agencies will compile a list of research-related funding.
- NNEPA will be responsible for identifying NN sources while USEPA will be responsible for identifying federal sources.

Potential Barriers

- NNOOC and NNOMB (lengthy and complicated review processes before funding is made available)
- Lack of a clear plan
- More time required to apply for funding
- General unwillingness to change

Resources Available

- NNOOC and NNOMB
- DOE DRUM, DOI, and BIA



FOCUS AREA #9: MAINTAIN CAPACITY BUILDING PLAN

Main Intent

All partners will maintain the CBP and ensure progress toward the goals, tasks, activities, and outcomes.

Current State

Document to be updated yearly or as needed based on yearly CBP maintenance meetings with NNEPA, NNAML, and USEPA. These agencies will have access to the CBP, which will reflect progress toward capacity building within the NN.

Measures of Success

Yearly Goals:

- All agencies will conduct CBP maintenance meetings to review progress toward capacity building on the NN and share outcomes.
- USEPA will update the CBP based on the outcomes of the CBP maintenance meetings.
- All agencies will implement annual updates to the Ten-Year Plan, CBP, and other ongoing planning efforts.

Key Components/Actions

- All agencies will assign staff that can work on the CBP (draft, edit, review, keep track of achievements, etc.).
- USEPA will develop a schedule for reviewing and editing the CBP.
- USEPA will incorporate the CBP into the Ten-Year Plan updates.
- All agencies will assign staff to lead in achieving the goals of each focus area and ultimately move the CBP forward.
- Navajo agencies will discuss updates at Multi-Agency Abandoned Uranium Mine Team meetings.
- All agencies will identify additional partners to become involved with the CBP.

Potential Barriers

- Staff turnover
- Lack of support, interest, or agreement with the CBP
- Inadequate resources

Resources Available

- USEPA, NNAML, and NNEPA
- Stakeholders
- Contractor support

AGENCY AUTHORITIES/ROLES

FEDERAL AGENCIES

USEPA

USEPA addresses issues related to contaminated abandoned uranium mines and contaminated structures. USEPA conducts this work under CERCLA. In addition, USEPA funds construction of drinking water infrastructure projects under the Safe Drinking Water Act. Agency website: <https://www.epa.gov>

NAVAJO NATION PARTNERS

NNEPA

NNEPA is a co-regulator, implementing the NN CERCLA law, Navajo Water Quality Standards, and the Navajo Safe Drinking Water Act. NNEPA implements the Contaminated Structures Program and oversees the abandoned uranium mine cleanup process. Agency website: <http://www.navajoepa.org>

NNAML

NNAML provides technical assistance and expertise during the mine reclamation process. Agency website: <https://aml.navajo-nsn.gov>





For More Information, visit:
<https://www.epa.gov/navajo-nation-uranium-cleanup>