

**Office of International and Tribal Affairs (OITA)**

**FY 2014 National Program Manager Guidance**

**NSCEP Publication # 160P13001**

## Table of Contents

|   |    |
|---|----|
| I - Overview to the FY 2014 NPM Guidances.....  | 3  |
| II - Introduction.....  | 3  |
| III - Tribal Program Priorities.....  | 3  |
| IV - Tribal National Areas of Focus.....  | 5  |
| 1 - Implementation of Federal Environmental Programs.....                                   | 5  |
| 2 - Implementation of the Indian Environmental General Assistance Program.....              | 6  |
| 3 - Implementation of EPA’s Policy on Consultation and Coordination with Indian Tribes..... | 7  |
| V - EPA’s International Program Priorities.....   | 8  |
| VI - International Focus Areas.....   | 9  |
| 1 - Building Strong Environmental Institutions and Legal Structures.....                    | 9  |
| 2 - Combating Climate Change by Limiting Pollutants.....                                    | 10 |
| 3 - Improving Air Quality.....  | 11 |
| 4 - Expanding Access to Clean Water.....  | 12 |
| 5 - Reducing Exposure to Toxic Chemicals.....   | 12 |
| 6 - Cleaning Up Electronic Waste (E-Waste).....   | 13 |
| 7 - Cross-cutting Area: Sustainability.....   | 14 |
| VII - Grant Assistance.....   | 15 |
| Appendix – Program Contacts.....  | 16 |

## **I. Overview to the FY 2014 NPM Guidances**

The Overview to the NPM Guidances communicates important agency-wide information and should be reviewed in conjunction with each of the draft FY 2014 NPM Guidances as well as other applicable requirements. The Overview also includes important background information and the eleven cross-program areas that are critical to effective implementation of EPA's environmental programs in FY 2014. Read the overview at: <http://www.epa.gov/planandbudget/annualplan/fy2014.html> .

## **II. Introduction**

This Guidance addresses both the Tribal and International Programs and provides direction to the Agency on tribal and international programmatic priorities for FY 2014. Our tribal and international partnerships extend to all aspects of the Agency's work and involve every NPM and Region. As a result, it is increasingly necessary to ensure that these engagements reflect overall Agency priorities and are consistent across the Agency. This first International and Tribal NPM Guidance begins to address this need. Unlike the 2014 media-specific NPM Guidances, this Guidance does not propose new performance measures or targets. However, it should be noted that OITA has performance measures that are not in the Guidance, because they are tracked outside of the ACS process. New measures and targets may be considered in future iterations of OITA's NPM Guidance.

## **III. Tribal Program Priorities**

Tribal partnerships are a focus of the State and Tribal Partnerships section of EPA's FY 2013 Annual Performance Plan which ties the annual budget to the EPA's five-year strategic plan<sup>1</sup>.

It is within this context that the OITA National Program Manager Guidance (NPM Guidance) identifies three tribal program priorities for FY 2014: (1) EPA acts in a manner consistent with the one-to-one, government-to-government relationship with federally recognized Indian tribes; (2) EPA and tribal governments work together to identify, design and implement effective environmental programs on tribal lands that are protective of human health and the environment; and, (3) EPA collaborates in a meaningful, open and interactive manner with tribal governments in areas of mutual concern regarding environmental and human health protection in Indian country. These priorities embody the expectations EPA has with respect to the manner in which we engage with tribal governments as we work together to ensure environmental and human health protection for tribes. By implementing the three specific goals discussed below, we are able to directly support these priorities.

In addition to being consistent with and supportive of EPA's current priorities, strategies, and plans, these three program priorities are consistent with the EPA Tribal Program principles first

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<sup>1</sup> The EPA *Strategic Plan* is currently being updated for FY 2014-2018 and will be available in February 2014 at the following website: <http://www2.epa.gov/planandbudget/strategicplan>.

developed in EPA's 1984 Indian Policy<sup>2</sup> (the Indian Policy). EPA's 1984 Indian Policy provides the framework for EPA's relationship with federally recognized tribes and identifies the mechanisms EPA and tribes use to implement environmental programs authorized under federal environmental laws in Indian country.

In the Indian Policy, EPA recognizes that the United States has a unique legal relationship with federally recognized tribal governments based on the United States Constitution, treaties, statutes, Executive Orders, and court decisions. The Indian Policy expressly recognizes the right of tribes to self-determination and acknowledges the federal government's trust responsibility to tribes. The Indian Policy also states that EPA will give special consideration to tribal interests in making Agency policy, and will ensure the close involvement of Tribal Governments in making decisions and managing environmental programs affecting tribal lands.

EPA Headquarters and Regional offices will continue to embrace and champion the concepts in the Indian Policy and incorporate the key principles into the media-specific priorities, goals and measures that EPA headquarters and regional offices lead, implement, and support with federally recognized tribes.

For this initial NPM Guidance, OITA reaffirms long-standing EPA policy, priorities, and programmatic areas of emphasis related to the EPA Tribal Program. Any future new measures and targets will be informed through discussions with tribal governments, EPA NPMs and Regions, and other stakeholders. Building upon the long-standing Indian Policy principles and the three specific priorities identified in this NPM Guidance, the three EPA Tribal Program focus areas in FY 2014 are:

Focus Area 1 - Implementation of Federal Environmental Programs in Indian Country;

Focus Area 2 - Implementation of the Indian Environmental General Assistance Program; and,

Focus Area 3 - Implementation of EPA Tribal Consultation under Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments", and the EPA Policy on Consultation and Coordination with Indian Tribes (Consultation Policy).

These three focus areas are the basic building blocks of EPA's Tribal Program and represent concepts originally established nearly 30 years ago in the Indian Policy. Each of these concepts has evolved since their inception. This NPM Guidance reaffirms these fundamental concepts of EPA's Tribal Program, and provides a path forward for continued improvements in their implementation.

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<sup>2</sup> EPA Policy for the Administration of Environmental Programs on Indian Reservations, <http://www.epa.gov/tribal/pdf/indian-policy-84.pdf>.

## **IV. Tribal National Areas of Focus**

### **1 - Implementation of Federal Environmental Programs**

EPA will continue to work directly with tribes to achieve implementation of federal environmental programs in Indian country. This is achieved through two primary forms under Agency authorities: program delegations, approvals, or authorizations from EPA to tribes; and, EPA direct implementation activities performed by EPA personnel or funded by EPA. In addition, EPA's NPMs will continue to ensure that appropriate priorities, measures, and commitments are identified for implementing environmental statutes in Indian country.

Tribal environmental programs receive financial and technical assistance through the Indian Environmental General Assistance Program (GAP) Act of 1992 (42 U.S.C. §4368b). The GAP, which is also described in Section III-2, assists federally recognized tribes and intertribal consortia to plan, develop, and establish the capacity to implement programs administered by the EPA. GAP was created to also provide technical assistance from EPA to tribal governments and intertribal consortia in the development of multimedia programs to address environmental issues. OITA remains committed to using the GAP to help build tribal capacity to administer environmental protection programs consistent with the federal laws the EPA is charged with implementing. Through the GAP, EPA also provides technical assistance to build environmental protection program capacity for tribes that are not implementing federally authorized regulatory programs or that may wish to go beyond federal requirements. This approach helps EPA ensure that tribes have the opportunity to meaningfully participate in the Agency's policy making, standard setting, and direct implementation activities potentially affecting tribal interests.

This Focus Area supports our commitment to increase tribal capacity to establish and implement environmental programs while ensuring that our national environmental programs are as effective in Indian country as they are throughout the rest of the nation. A continuing emphasis on ensuring federal program implementation reflects the highest priority of the EPA Tribal Program and the most proactive manner in which the Agency acts to protect human health and the environment for tribes.

Additionally, this Focus Area is consistent with EPA's long-term strategy of strengthening tribal partnerships. These partnerships are created by working together with tribal governments to increase opportunities for consultation, collaboration, cooperation, and shared accountability. In recognizing the unique relationship between the United States Government and federally recognized tribes, EPA works on a government-to-government basis with tribal governments and acknowledges the cultural, jurisdictional, and legal features that must be considered when implementing federal environmental programs in Indian country. By pursuing this cross-cutting strategy through annual action plans, we implement a deliberate, focused effort to take tangible, measurable actions to transform the way we deliver environmental and human health protection.

Activities:

Direct Implementation of Federal Environmental Laws

- In general, unless and until a tribal government has assumed full responsibility for a delegable program, the applicable federal environmental programs are implemented by EPA.

EPA implementation of federal environmental programs is the same inside and outside of Indian country.

- Encourage tribes to participate in policy-making and to assume appropriate lesser or partial roles in the management of reservation programs. For example, tribes may play an important role in helping to assure compliance for regulated entities, including compliance assistance, information distribution, and identification of regulated entities.
- Use Direct Implementation Tribal Cooperative Agreements (DITCAs), where appropriate, to provide opportunities for tribes to perform program implementation activities.

#### Tribal Program Implementation

- Encourage tribes who are interested to assume delegable responsibilities for environmental program implementation under EPA statutes, and provide technical assistance and guidance on the approval process as needed. Regions and NPMs should continue to work closely to discuss eligibility and oversee consistency for streamlined program approval reviews.

## **2 –Implementation of the Indian Environmental General Assistance Program**

The GAP continues to be the primary resource to support the development and implementation of tribal environmental programs. Following extensive consultation and coordination with tribal governments, OITA released new *Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia*, (GAP Guidance)<sup>3</sup> in May 2013. Consistent with the new guidance, there will be substantive changes in program management, including the identification of short term and long term indicators of tribal environmental protection program capacity and the development of EPA-Tribal Environmental Plans (ETEPs) to align GAP work plan activities with long-term goals and priorities.

The new Guidance enhances the EPA-tribal partnership by using ETEPs for joint strategic planning, documenting mutual responsibilities for program development and implementation, targeting resources to build tribal environmental program capacities, and measuring environmental program development progress over time. The ETEPs provide the “big” picture of how the EPA and a tribe will work together to protect human health and the environment within the context of EPA programs. Assessing the needs and priorities of each tribe allows for a focused government-to-government discussion on actions to meet short- and long-term tribal program development milestones. This joint planning process also identifies areas where EPA may need to prioritize its work and resources for that particular tribe, given the tribe’s own priorities, environmental protection needs, and available resources. By using ETEPs to identify priorities and then map-out how and when the priorities will be addressed and by whom, EPA and tribes can then work together to identify technical and other resources that may be necessary to implement the ETEP.

The fundamental concept of joint planning to achieve environmental protection goals was originally developed by the very first EPA Tribal Operations Committee in 1994<sup>4</sup>, in

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<sup>3</sup> <http://www.epa.gov/indian/GAP-guidance-final.pdf>

<sup>4</sup> [EPA Action Memorandum on Strengthening Tribal Operations](#). Administrator Browner. July 1994.

coordination with the National Tribal Caucus of EPA's National Tribal Operations Committee.<sup>5</sup> Some Regions already have joint planning agreements in place (often in the form of a Tribal Environmental Agreement<sup>6</sup>) and may use these existing agreements as ETEPs if they meet the criteria described in the GAP Guidance. Other Regions do not have such plans with federally recognized tribes in their Region. By the end of FY 2013, all Regions are expected to have developed a schedule for establishing ETEPs with the tribes in their region. In FY 2014 Regions should be well underway in having conversations with tribes to establish ETEPs.

ETEPs should link to GAP work plans by identifying which environmental protection program capacity indicators a tribe intends to establish and a general time line for establishing them. The GAP Guidance provides a good starting point for tribes and EPA in the identification of appropriate indicators for any particular tribal program being developed. The new GAP Guidance and the development of ETEPs will ensure the effective implementation of GAP and the fundamental concepts embodied in the Indian Policy.

Activities:

- OITA will provide training to GAP Project Officers and GAP recipients on the new GAP Guidance.
- Consistent with the new GAP Guidance, regions will develop ETEPs with each federally recognized tribe requesting GAP funds.

### **3 - Implementation of EPA's Policy on Consultation and Coordination with Indian Tribes**

In May 2011, EPA finalized the Policy on Consultation and Coordination with Indian Tribes (Consultation Policy)<sup>7</sup>. The Consultation Policy was adopted in response to a November 2009 Presidential Memorandum directing all federal agencies to fully implement Executive Order 13175 on "Consultation and Coordination with Indian Tribal Governments."<sup>8</sup> The Consultation Policy states that EPA will "consult on a government-to-government basis with federally recognized tribal governments when EPA actions and decisions may affect tribal interests." EPA programs and Regions are applying the Consultation Policy to their activities, and communicate regularly with their designated EPA Tribal Consultation Advisor (TCA<sup>9</sup>) to determine whether an EPA activity or decision is appropriate for tribal consultation. TCAs and all Agency employees have a responsibility to ensure they are planning early with respect to activities, policies, and actions to which the Consultation Policy applies. The Consultation Policy seeks to strike a balance between providing sufficient guidance for purposes of achieving consistency and predictability and allowing for, and encouraging, the tailoring of consultation approaches to reflect the circumstances of each consultation situation and, if feasible, to accommodate the preferences of tribal governments.

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<sup>5</sup> Members of the EPA National Tribal Caucus. <http://www.epa.gov/tp/contactinfo/trcaucus.htm>.

<sup>6</sup> Final EPA / Tribal Agreements Template, Terry Williams, Director AIEO, March 20, 1995

<sup>7</sup> EPA Consultation and Coordination Policy, <http://www.epa.gov/tp/consultation/consult-policy.htm>.

<sup>8</sup> Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, <http://ceq.hss.doe.gov/nepa/regs/eos/eo13175.html>.

<sup>9</sup> List of EPA Tribal Consultation Advisors, <http://www.epa.gov/indian/pdf/tribal-consultation-advisors-membership.pdf>.

As the Consultation Policy states: “consultation is a process of meaningful communication and coordination between EPA and tribal officials prior to EPA taking actions or implementing decisions that may affect tribes.” Consultation at EPA consists of four phases: (1) identification; (2) notification; (3) input; and, (4) follow-up. The Consultation Policy details appropriate roles and responsibilities for Agency managers and staff involved in the consultation and coordination process. EPA’s Assistant Administrator for OITA oversees coordination and implementation of tribal consultation in accordance with the Consultation Policy, Executive Order 13175 “Consultation and Coordination with Tribal Governments,” and the 1984 Indian Policy. The Consultation Policy also establishes national guidelines and institutional controls for consultation across EPA. In addition, implementation of the Consultation Policy furthers EPA’s strategy of engaging our tribal partners.

#### Activities:

- Consultation opportunities will be publicly available on the Tribal Consultation Opportunities Tracking System (TCOTS). OITA will provide regular updates to EPA Senior management and OMB on TCOTS statistics.
  - <http://tcots.epa.gov>
- EPA Assistant Administrators and Regional Administrators will implement tribal consultation under the Executive Order and EPA Consultation Policy, and ensure that all four phases described in Consultation Policy are appropriately implemented
- EPA Leadership will also ensure timely entry of tribal consultation opportunities into TCOTS to ensure opportunities for early and meaningful involvement.
- Tribal Consultation Advisors will deliver two trainings to staff and managers in their respective offices during FY 2014.

## **V. EPA’s International Program Priorities**

EPA has a long history of international collaboration on a wide range of global environmental issues. It is our vision that environmental progress, in cooperation with global partners, can catalyze even greater progress toward protecting our domestic environment. In 2010, EPA developed international priorities to strategically focus our engagement with global partners ([www.epa.gov/international/topsix.html](http://www.epa.gov/international/topsix.html)). These priorities are: Building Strong Environmental Institutions and Legal Structures; Combating Climate Change by Limiting Pollutants; Improving Air Quality; Expanding Access to Clean Water; Reducing Exposure to Toxic Chemicals; and Cleaning up Electronic Waste. In this guidance, sustainability is identified as an international cross-cutting area, as it spans multiple international priorities.

OITA coordinates and oversees EPA’s relationship with countries and regions, as well as multilateral efforts, and develops Agency-wide strategies for these relationships. OITA works with EPA NPMs and Regional Offices in formulating U.S. international policies, implementing EPA’s international programs, and providing technical assistance to other countries. OITA leads the Agency’s efforts in regional and multilateral fora, such as the Commission on Environmental Cooperation and the Arctic Council; and coordinates intra-agency activities such as the Agency’s Greater China Program and EPA’s Export Strategy. OITA leads the U.S. – Mexico Border

Program, coordinating with Regions 6 and 9 and coordinates with Regions 2, 3, and 5 on the U.S. – Canada Binational Great Lakes Program. Regional Offices and NPMs also serve as technical experts in providing assistance for specific activities under other EPA international programs and coordinate on hosting foreign visitors.

When considering international collaboration or engagements, OITA, EPA Regions, and NPMs should keep the Agency’s international priorities in mind. EPA Regions and NPMs are to consistently communicate and coordinate with OITA when considering international requests and engaging in international activities.

## **VI. International Areas of Focus**

To advance the Agency’s international goals, EPA will conduct activities within the following international focus areas that support EPA’s six international priorities and one international cross-cutting area—sustainability—which spans multiple priorities.

### **1 - Building Strong Environmental Institutions and Legal Structures**

Countries need strong institutional structures to develop sound environmental policies and enforce environmental protections. EPA will engage with countries to build capacity for good governance, including judicial and legal frameworks, public participation approaches, and trade policies. Overall trade policy will be coordinated by OITA for the Agency.

Activities:

- EPA will engage with other U.S. federal agencies and stakeholders to shape U.S. trade policies, protect the integrity of U.S. domestic policies, and promote good environmental governance. EPA will participate in international trade negotiations as part of the U.S. delegation.
- EPA will support, implement and expand the EPA Export Promotion Strategy, which facilitates broadened international deployment of advanced environmental solutions through trade in environmental technologies and more environmentally sustainable products and services. OITA will work primarily with OW, OSWER and OAR to identify appropriate technologies and to participate in trade missions with the Department of Commerce.
- EPA will support efforts to develop consistent environmental laws, regulations, and standards; strengthen capacity for environmental inspection, enforcement, and compliance; strengthen capacity in environmental impact assessments; and integrating public participation into environmental decision-making through training, workshops, and regional networks.
- EPA will support environmental governance capacity-building in North Africa, Jordan, and Sub-Saharan Africa, through training and hands-on technical assistance in enforcement, inspections, public participation, legal and regulatory development, and

through the development of regional networks, such as the East Africa Network for Environmental Compliance and Enforcement (EANECE). OITA will work with OECA, OGC, EAB, and regional experts to conduct this capacity-building.

- Through existing agreements with the China Ministry of Environmental Protection, Indonesia Ministry of Environment, and Environmental Protection Agency of Taiwan, EPA will strengthen environmental governance frameworks such as environmental impact assessments, environmental law and enforcement; develop effective environmental information management structures; and build regional expert networks and advance regional knowledge.
- Through participation in the U.S.–Brazil Joint Action Plan to Eliminate Racial and Ethnic Discrimination and Promote Equality (JAPER) OITA - in partnership with OEJ, OSWER, OEI, OGC, and OAR - will promote environmental justice and social inclusion through workshops and pilot projects in Brazil.
- Under the Commission on Environmental Cooperation, OITA will work with OECA to develop and implement - by 2015 - intelligence-led enforcement in North America, increasing the identification and interdiction of non-compliant shipments of environmentally-regulated materials, including e-waste, hazardous waste, and vulnerable wildlife in North America.

## **2 - Combating Climate Change by Limiting Pollutants**

Climate change is a global challenge that requires both domestic and international solutions. Climate change impacts will increasingly affect us all, and vulnerable populations in the Arctic are bearing some of the greatest risks. EPA will promote global strategies to reduce greenhouse gas emissions and other pollutants such as methane from landfills and black carbon and will engage on climate adaptation for urban environments.

Activities:

- EPA will support the trilateral work of the Commission on Environmental Cooperation that will focus on *Climate Change – Low-Carbon Economies for North America*. OITA, working closely with OAR, OEI, OCHP, Regions 1, 5, 6, 9, and others, will continue to support transition to low-carbon economies by improving the comparability of greenhouse gas emissions inventories at the national, state, and local levels in Canada, Mexico, and the U.S. Work will also support gathering information to quantify and manage for GHG emissions reductions. OITA, with the support of OCHP and OCSPP, will also promote trilateral support to community-based adaptations that enhance resilience to impacts from climate change that affect both physical and social environments.
- EPA will continue to lead several areas of work in the Arctic, including through the Arctic Council, through the International Maritime Organization (IMO) and with the Government of Russia. EPA will continue to address Short-Lived Climate Forcers, particularly black carbon, in the Arctic, specifically focusing on diesel black carbon in the Russian Arctic. OITA will work with OAR, ORD, OSWER, Region 10 and other relevant Agency offices to make progress on Arctic issues.

- EPA will advocate for and develop environment provisions for a “Mandatory Code for Ships Operating in Polar Waters,” or Polar Code, a subset of broader work within the International Maritime Organization that addresses air quality, water quality, toxics, and climate change. As climate change facilitates increased use of the Arctic Ocean, this Polar Code will outline technical standards and operational guidelines to better protect this unique, vulnerable environment against the impacts of shipping.
- EPA is developing a Climate Change Adaptation Implementation Plan. EPA will include an international section in the plan, with all relevant NPMs and Regions participating in an effort to implement identified, specific priority actions to more fully integrate climate change adaptation planning into international programs.

### **3 - Improving Air Quality**

Much of the pollution that contributes to climate change and increases public health risks, such as asthma and other respiratory diseases, is concentrated in urban areas which are growing in the U.S. and around the world. It is increasingly important to develop new measures and initiatives to address growing urban air pollution both at home and abroad.

Activities:

- EPA will work with Mexico to evaluate the impact of shipping emissions on public health and the environment, including sharing information on technologies for compliance with the International Maritime Organization’s ship air pollution guidelines and the North American Emissions Control Area and providing technical assistance to conduct air quality and human health benefits modeling to evaluate the public health and environmental benefits of reducing ship emissions in Mexican waters. OITA will lead a project team consisting of OAR, Regions 4, 6, and 9, ORD, OW, OGC and OECA to carry out this work.
- OITA and OAR will work through the global and voluntary Partnership for Clean Fuels and Vehicles to improve air quality and public health by reducing particulate emissions from vehicles and promoting low sulfur fuels.
- OITA, OAR, and Region 3 will continue to work in partnership with the City of Jakarta on an urban air quality improvement initiative that will focus on a better understanding of key sources and types of urban air pollution, improved understanding of air quality modeling for air quality officials, and effective public and private stakeholder engagement in the joint development of cost-effective, science-based strategies. This effort is expected to serve as a template that can be replicated in other mega-cities in the Asia-Pacific region and beyond.
- Building on the existing collaboration with Taiwan, OITA, OAR, and Regions 9 and 10 will continue the work of the Pacific Ports Clean Air Collaborative and advance sustainability initiatives in Asia-Pacific ports to reduce air pollution emissions from marine ports and vessels and broaden collaboration to include key U.S. ports and Asia-Pacific ports, environmental agencies, health bureaus, NGOs, academia, and other partners.

#### **4 - Expanding Access to Clean Water**

Inadequate access to clean water and sanitation services in the United States and throughout the world remains a serious peril, especially for vulnerable populations. EPA will help support long-term, sustainable, and high-quality drinking water and sanitation systems for overburdened and underserved communities.

Activities:

- Under the U.S.-Mexico Border 2020 Program ([www.epa.gov/usmexicoborder](http://www.epa.gov/usmexicoborder)), EPA will work with U.S. and Mexican partners to address the lack of access to safe drinking water, inadequate collection and treatment of wastewater, management of stormwater pollution, public access to water quality data, and impacts of climate change that affect precipitation patterns and duration of droughts in border watersheds and communities.
- EPA will work with the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADBank) to pursue the financing and implementation of environmental infrastructure projects addressing a clean and healthy border environment.
- Throughout Africa, EPA will promote the use of Water Safety Plans (WSPs) as an important approach for ensuring drinking water quality in urban utilities, building the WSP network throughout Africa, and working to include informal settlements into these urban utility networks. In West Africa, EPA will work with USAID and other in-country partners to build institutions and legal structures to support clean water and to strengthen the capacity of water utilities and water laboratories to effectively monitor and accurately analyze drinking water and wastewater systems. This work includes technical support from ORD, OGC and OW and builds on the success and lessons learned from the Environmental Cooperation Agreement under the Central American Free Trade Agreement undertaken with Region 4.

#### **5 - Reducing Exposure to Toxic Chemicals**

EPA engages governments around the world, as well as partners like the United Nations Environment Program (UNEP), to reduce the impact to human health and the environment of toxic chemicals such as heavy metals and persistent organic pollutants, and from hazardous waste and contaminated sites.

Mercury emissions from other countries impact the United States via transboundary transport and deposition and via fish imported from global fisheries. OITA leads EPA's participation in negotiations and implementation of the Minamata Convention on Mercury, a legally-binding agreement that was adopted in January 2013. OITA also carries out a number of international activities to assist countries reduce mercury use and emissions.

#### Activities:

- Following the Minamata Convention's signed agreement in October 2013, EPA will engage in targeted technical assistance and capacity building to facilitate implementation of the Convention while continuing to achieve public health and environmental benefits from use and emissions reductions. OITA will work with OAR, OCSPP, and OSWER to develop and implement technical assistance and capacity building programs that address key implementation needs of selected countries. OITA will also work with OGC, OAR, OCSPP, OSWER, and OW to describe EPA's ability to implement the Convention domestically in preparation for U.S. participation.
- EPA will work with the States and domestic and international stakeholders to advance policies to reduce global mercury pollution and to disseminate user-friendly information in order to help achieve these reductions. EPA will participate in on-the-ground efforts to achieve use and emissions reductions in the near-term through the UNEP Global Mercury Partnership and bilateral programs in Asia, Africa and Latin America.
- As part of EPA's technical exchange program for management of hazardous waste in Russia, EPA will provide technical expertise to Russia in developing contaminated site cleanup and brownfields programs with support from OSWER, OECA, and the Regions.
- As part of EPA's collaboration with Taiwan, OITA with OSWER and Region 9 will support regional site remediation work in the Asia-Pacific region.

#### **6 - Cleaning Up Electronic Waste (E-Waste)**

E-waste is one of the fastest growing waste streams in the U.S. and the world and cleaning up e-waste has become a global priority. In response to this challenge and a 2010 Presidential Proclamation ([http://www.epa.gov/agingepa/press/epanews/2010/2010\\_1116\\_2.htm](http://www.epa.gov/agingepa/press/epanews/2010/2010_1116_2.htm)), EPA, the General Services Administration, and the Council on Environmental Quality led an interagency task force in the development of the National Strategy for Electronics Stewardship which was released in July 2011. In alignment with this strategy, OITA leads EPA's international efforts, through both bilateral and global efforts, engaging with OSWER, OECA, OGC, OCSPP, ORD and Regions 3, 8 and 9 through an intra-agency working group on electronics established during the development of the National Strategy for Electronics Stewardship. In particular, OITA will work closely with OSWER to ensure promotion of environmentally sound management of e-waste in programs in Africa, Asia, and Latin America.

#### Activities:

- EPA will work with governments, industry, NGOs, and international organizations, particularly the United Nations Solving the E-waste Problem (StEP) Initiative (<http://www.step-initiative.org/>), to improve the understanding of the global flows of e-waste. EPA will develop information on global flows and share this information with stakeholders in order to reduce harm to the environment and human health from U.S. exports of e-waste and improve safe handling of used electronics in developing countries.

- OITA with OSWER, OECA, ORD, and Regions 3 and 9 will work with Taiwan EPA to lead a new Asia-Pacific regional network designed to facilitate the development and exchange of policy-level information on e-waste management. OITA, OSWER, and Region 9 will also work in mainland China to implement pilot projects in Beijing and Shenzhen.
- In the Latin American and Caribbean regions, OITA will work with OSWER, Region 2, Region 4, and other partners on building regional capacity for the environmentally sound management of e-waste and other solid waste.
- In Africa, EPA and its international partners will continue to strengthen Ethiopia's sustainable e-waste recycling program that serves as a foundation for a \$1 million Global Environment Facility project in East Africa.

## **7 – International Cross-cutting Area: Sustainability**

Globally governments, organizations, and industry are increasingly seeking to put sustainability into practice, through such efforts as improving urban sustainability and infrastructure and greening supply chains. International sustainability was part of the EPA Administrator's green economy message at Rio + 20. OITA leads EPA's international sustainability policy and program development and facilitates EPA's collaborative interaction with key international sustainability and innovation efforts, focused on EPA engagements with UNEP, OECD, the World Bank, and regional partners.

EPA will leverage U.S. involvement at the multilateral, regional and bilateral level to implement cross-cutting programs on sustainability that advance multiple international priorities simultaneously. Also, OITA will take a lead role in integrating core elements of EPA international sustainability cooperation efforts in development and implementation of EPA's Sustainability Plan, coordinating inputs from key NPMs and Regions.

Activities:

- EPA will follow up on several key elements of Rio+20 (U.N. Conference on Sustainable Development held in 2012). OITA will coordinate EPA's assuming of a lead role for the U.S. government in engaging with UNEP on the "10-Year Framework on Sustainable Consumption and Production" (10YFP) adopted at Rio+20. Priority activity areas for EPA include: sustainable public procurement, life cycle assessment, and web-based knowledge platforms. OITA will work with EPA regions and key NPMs, including OCSPP, OSWER, ORD, OP, OARM, and OGC, to document ongoing efforts in the priority areas for incorporation into key emerging knowledge platforms.
- EPA will also continue to leverage OECD research on policy instruments supporting green growth and eco-innovation; advance analytical approaches and indicators for natural capital and ecosystem services valuation; and examine approaches to develop broader metrics of wealth and economic growth. OITA leads EPA engagement in the OECD through the Environmental Policy Committee and will continue to rely on key NPMs - such as OECA, OP and OSWER - on issues related to their respective missions.

- EPA will support trilateral efforts focusing on Greening the Economy in North America through the work of the Commission for Environmental Cooperation, including participation on the trilateral task force on green building construction.
- OITA, working with OSWER, OP, OEJ, and Region 3, will support urban sustainability initiatives in Brazil, including projects that encourage the green redevelopment of the area in and around Rio de Janeiro's Gramacho landfill and share expertise on governance options for the restoration and sustainable development of the Guanabara Bay.

## VII – Grant Assistance

OITA's goal for all assistance agreement programs is to expeditiously obligate grant funds appropriated by Congress in the first year of availability. OITA, including partnering with regional offices, works expeditiously to obligate, award, and expend annual appropriations in a timely manner by focusing on minimizing any delays in obligating grant funds in the first year of availability; working to reduce the accumulation of unexpended appropriations in awarded grants to address unexpended appropriations in awarded grants; and continuing to accelerate grant outlays.

In addition, OITA continues to place a high priority on effective grants management by working in partnership with Project Officers, Regional contacts, and OITA managers in disseminating, implementing, and ensuring compliance with EPA new and existing grants management policies and procedures. Specifically, we will strengthen our compliance, review, and monitoring of all OITA grants and cooperative agreements by implementing the *Post-Award Management Plan*.

OITA supports the Agency policy (EPA Order 5700.5A1) to promote competition to the maximum extent practicable in the award of assistance agreements. We will work with Project officers to ensure compliance with Agency policy concerning competition in the award of grants and cooperative agreements and ensure that the competitive process is fair and impartial, that all applicants are evaluated only on the criteria stated in the announcement, and that no applicant receives an unfair advantage. Where appropriate, OITA will incorporate Agency new approach to boilerplate clause language in all situations, with the expectation of simplifying and expediting the solicitation process.

Consistent with the recommendations from the Office of Inspector General, OITA will work with regions to ensure that they negotiate environmental plans with tribes. The new GAP Guidance describes the EPA-Tribal Environmental Plans (ETEPs) that each tribal grantee will establish with EPA to clarify mutual roles and responsibilities for addressing tribal priorities and ensuring implementation of EPA program authorities. OITA considers the ability to track impacts and progress of funding decisions to be essential to an effective government-to-government joint strategic planning process. The items listed below are the four required elements of an ETEP:

- 1) Tribal Environmental Programs and Priorities
- 2) EPA Programs and Priorities
- 3) Inventories of Regulated Entities

4) Mutual Roles and Responsibilities for Tribal Program Development Milestones and Environmental Program Implementation

EPA will track the number of tribes with ETEPs and will modify the GAP Online assistance agreement work plan management tool to track capacity indicators linked to the long-term goals identified in the ETEPs.

In support of strong grant management, sustainability principles, and fiduciary efforts towards improved environmental and health objectives, OITA strongly supports EPA Environmental and Results policy (EPA Order 5700.7) and have established processes to link proposed assistance agreements to the Agency’s *Strategic Plan*; ensure that outputs and outcomes are appropriately addressed in assistance agreement competitive funding announcements, work plans, and performance reports; and considers how the results from completed assistance agreement projects contribute to the Agency’s programmatic goals and responsibilities.

**KEY CONTACTS APPENDIX**

| Contact Name     | Subject Area                   | Phone        | Email  |
|------------------|--------------------------------|--------------|--|
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