



Clean Water Indian Set-Aside Emerging Contaminant Program

May 2024 RTOC

Region 9 Water Division

Presentation Overview

- ▶ What is the CWISA EC Program?
 - ▶ Background
 - ▶ Eligible projects
- ▶ How can Tribes request funding?
- ▶ Where does EPA need your input?
 - ▶ EPA's proposed methodology and timeline

General Information

- ▶ Presence and extent of EC data may be **limited**.
- ▶ Eligible projects for CWISA EC **are not** required to be identified in the IHS SDS system.
- ▶ Program encourages focus on **identification** of ECs.

Region 9

Clean Water Indian Set-Aside Emerging Contaminant Funds Distribution

Historic CWISA Fund Distribution (Percent Total FY18-22)	EC Distribution (FY22&23 Total)	Proposed Annual EC Distribution (FY24)	Proposed Annual EC Distribution (FY25)	Proposed Annual EC Distribution (FY26)	Proposed EC Distribution (FY22-26 Total)
34.4%	\$2,233,000	\$1,546,000	\$1,546,000	\$1,546,000	\$6,871,000

What is an EC?

- ▶ Substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment.
- ▶ Contaminants with water quality criteria established by EPA under CWA section 304(a), except for PFAS, **are not** considered ECs. This includes nutrients (e.g., ammonia, nitrogen, and phosphorus), certain organics, and certain metals.



CWISA EC Funding Eligibility

- ▶ Only federally recognized Tribes are eligible for program funds.
- ▶ Projects must:
 - ▶ *Be eligible under section 603(c) of the Clean Water Act,*
 - ▶ *Address one or more ECs, and*
 - ▶ *Result in a water quality benefit.*
- ▶ Projects **are not** required to be identified in the IHS SDS system.

Examples of Potential CWISA EC Projects

- ▶ Laboratory and sampling equipment purchase
- ▶ Wastewater treatment (centralized and decentralized)
- ▶ Biosolids treatment/disposal
- ▶ Septic-to-sewer conversions
- ▶ Water reuse
- ▶ Source water protection
- ▶ Lagoon improvements and decommissioning
- ▶ Nonpoint source pollution control
- ▶ Stormwater management and treatment
- ▶ Landfill capping and leachate control
- ▶ Cleanup of contaminated sites
- ▶ Groundwater and surface water protection and restoration
- ▶ Planning/assessment



CWSRF-Eligible EC Project Case Study

▶ Oklahoma Master Conservancy District Lake Thunderbird EC Assessment Project

- ▶ Project type: nonpoint source/stormwater assessment
- ▶ ECs: PFOS, pesticides, PPCPs
- ▶ Project purpose: To study constructed wetland designs and locations for stormwater treatment and nonpoint source pollution, including treatment for ECs
- ▶ Proposed activities:
 - ▶ Year 1: Additional EC monitoring and evaluation of current efforts in the Lake Thunderbird watershed
 - ▶ Years 2 through 5: Research/development, project proposal development, and plan for pilot and/or full-scale treatment projects

▶ For **additional case studies**, scan the QR code to the right!



Additional case studies

How will funding be awarded?

- ▶ Direct **grants** to Tribes
- ▶ **Interagency agreements** with IHS
- ▶ EPA-directed **in-kind assistance**
 - ▶ For certain projects (e.g., EC sampling and PER development), EPA contractors can provide direct technical assistance to Tribes.

Project Proposal Submission

- ▶ Project proposals must include:
 - ▶ Proposal form
 - ▶ Tribal government endorsement
 - ▶ Preliminary engineering reports or planning project proposals with supporting documents
- ▶ EPA must receive project proposals by **June 14th, 2024**.
- ▶ E-mail one electronic copy of the proposal and any documentation to: Nancy Sockabasin, sockabasin.nancy@epa.gov.



*Scan the QR code to
apply for CWISA EC
funding!*

Consultation and Coordination Schedule

March 27: EPA sent Early Engagement letters to Tribal leaders.

June 14: Early Engagement concludes.

July 1: EPA offers leader-to-leader consultation to Tribes.

August 27-29: Presentation and discussion at RTOC.

September 6: Last day to request leader-to-leader consultation.

September 30: Consultation concludes.

October 2024: EPA finalizes CWISA EC Program prioritization.

Project proposals will be accepted on a rolling basis after the initial deadline and evaluated as they are received.

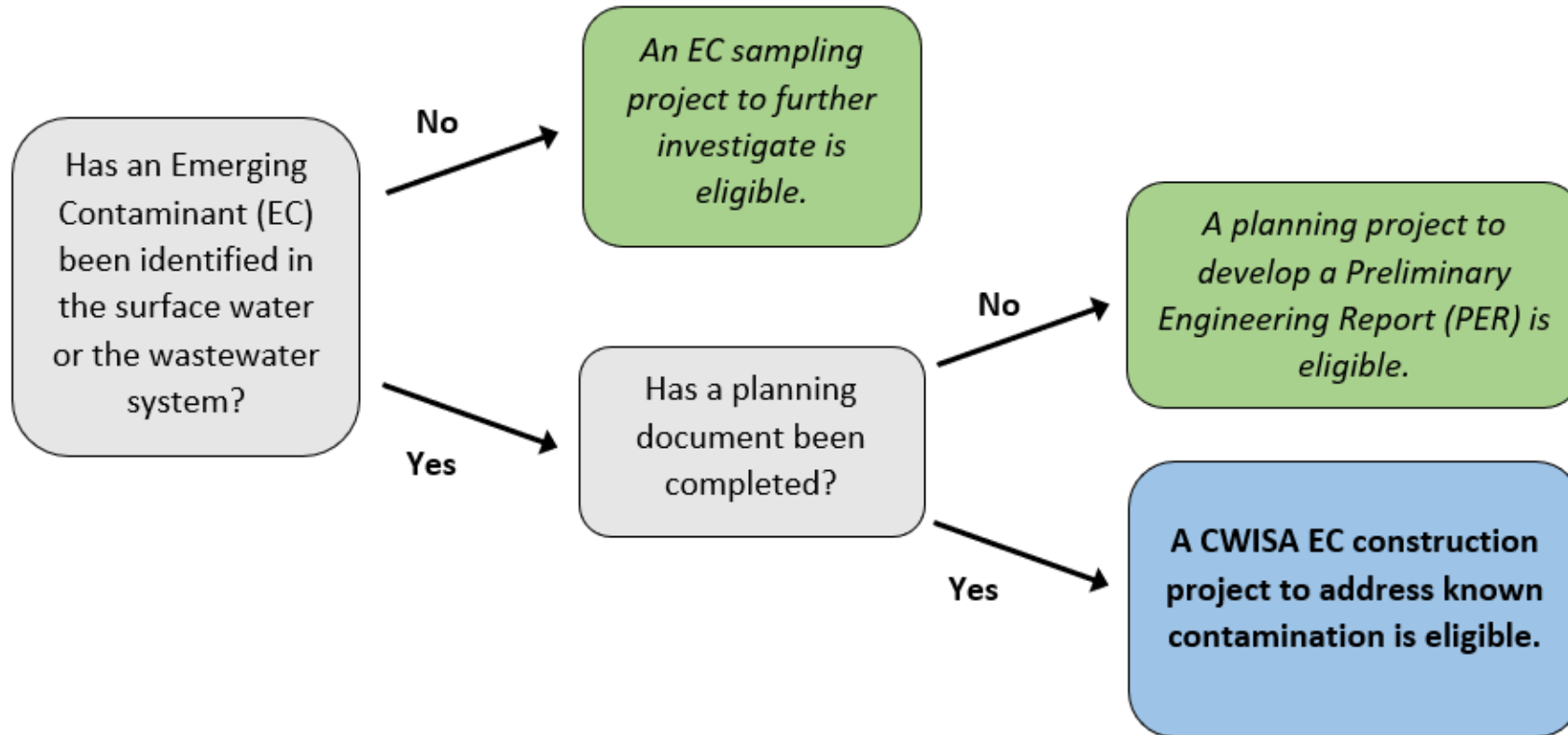
How Should Region 9 Proceed?

- ▶ As we evaluate options for funding prioritization of projects that meet CWISA EC eligibility requirements, **EPA Region 9 requests your input** on the following aspects of the Program:
 - ▶ *Proposed funding process,*
 - ▶ *Proposed funding timeline, and*
 - ▶ *Potential emerging contaminants for regional sampling programs.*
- ▶ Your initial input is requested by **June 14th, 2024.**
- ▶ EPA will engage with Tribal leadership in **consultation in July 2024.**



*Scan the QR code
for updates about
the upcoming
consultation
opportunity!*

Proposed Funding Methodology



Proposed Funding Timeline

Proposal Submission Steps	
Estimated Timeframe	EPA Actions
Step 1: Tribe Submits Proposal	
2 months	EPA will review proposals for completeness and notify each applicant with requests for additional information.
Step 2: Tribe Responds to EPA Comments	
1 month	EPA reviews final submissions and notifies the Tribe of funding decision, along with guidance letters for projects to be funded through grants.
Step 3: Tribe submits final documents for Grant, Interagency Agreement, or In-Kind Services	
3 months	EPA processes and awards funds for projects.

Based on the actions and estimated timeframes above, it may take approximately 6 months after the initial project proposal is submitted to EPA to receive funding.

Potential ECs for Regional Sampling Programs

- ▶ **EPA seeks Tribal input** on whether a **regional sampling program** should be established for any **specific ECs** that are chemicals of concern for Tribes within Region 9.
- ▶ Eligible contaminant groups include:
 - ▶ Per- and polyfluoroalkyl substances (PFAS)
 - ▶ Biological contaminants and microorganisms
 - ▶ Some compounds of pharmaceuticals and personal care products (PPCPs)
 - ▶ Nanomaterials
 - ▶ Microplastics/nanoplastics
 - ▶ Other persistent organic pollutants (POPs)

Free Autosamplers for Tribal Wastewater Utilities

- ▶ The Water Environment Federation (WEF) is offering **free automatic samplers** to Tribal wastewater utilities.
- ▶ Application deadline: **June 30, 2024**

*Scan the QR code
for application
information!*





***R9 CWISA EC
Website***



***Upcoming
Consultation
Opportunity***

Contact Information

CWISA EC Program Coordinators

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PFAS RULE & R9 PFAS SAMPLING PROGRAM UPDATES

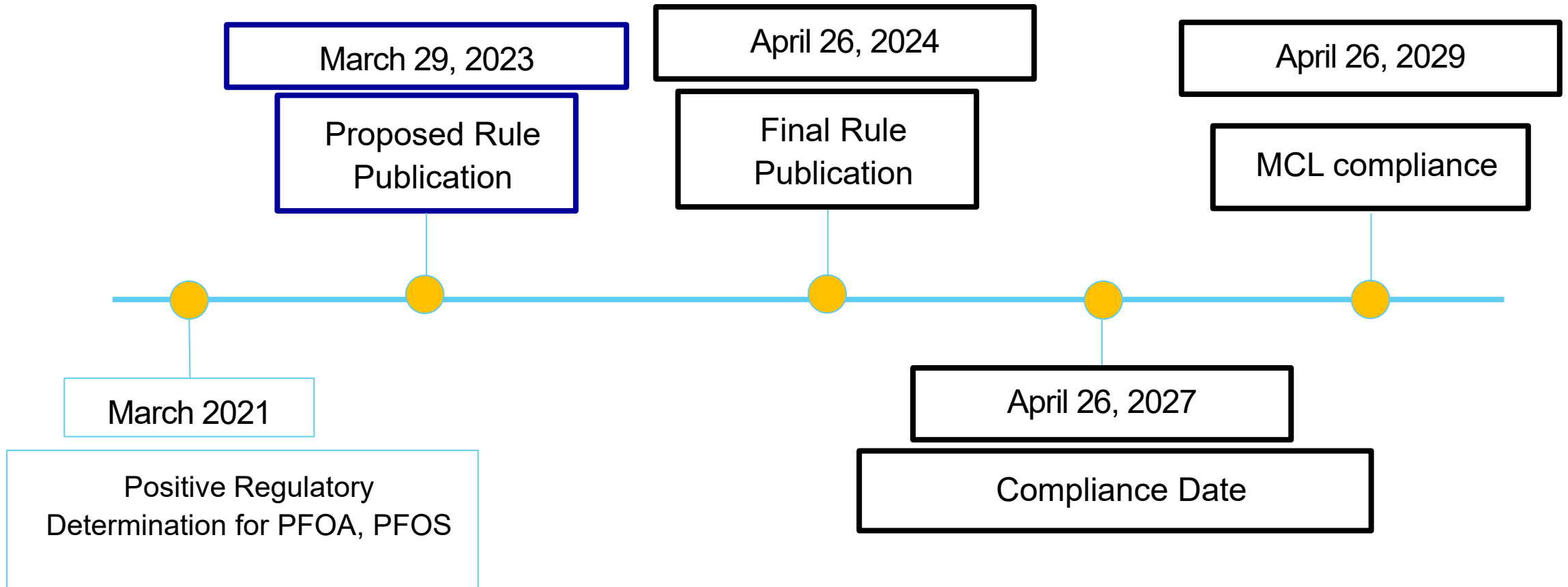
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PFAS Rulemaking Timeline



Compliance Date: all initial monitoring to be completed by this date
MCL Compliance Date: violations issued for results above MCLs and Hazard Index after this date

PFAS Rule Applicability

Rule applies to all community and NTNC public water systems

New systems or systems with new source must demonstrate compliance with MCL

Consecutive systems do not have to monitor, but must comply with PN/CCR requirements

Wholesaler must notify consecutive of violations

MCLs/HI

	Compound	MCL			MCLG
		Individual	Group	Effective level**	
2 significant figures	PFOA	4.0 ppt		< 4.05 ppt	0 ppt
	PFOS	4.0 ppt		< 4.05 ppt	0 ppt
1 significant figure	GenX (HFPO-DA)	10 ppt		< 15 ppt	10 ppt
	PFHxS	10 ppt		< 15 ppt	10 ppt
	PFNA	10 ppt		< 15 ppt	10 ppt
	2 or more of GenX, PFHxS, PFNA, PFBS		HI of 1	< 1.5	1

Compliance is Based on RAA

**Calculate RAA using unrounded numbers, then round to get final compliance value

EPA R9 Free Voluntary PFAS Sampling Program Overview

EPA offering free PFAS sampling to all regulated Region 9 water systems

Free (otherwise would cost \$350-\$800 per sample depending on method and detects)

Sampling at source and entry point

Operator sample training

Mandatory customer notification for any detects

Voluntary national database notification for any detects (required under UCMR5)

Bipartisan Infrastructure Law funding

EPA funding nationwide for Tribes to address emerging contaminants in Drinking Water, with PFAS emphasis

Eligible project types include treatment, alternate sources, and consolidation