Illegal Dumping

Agency	***Assistance Provided***
Environmental Protection Agency	Staff Technical Assistance, Field Training
Indian Health Service	Grant Funding, Staff Technical Assistance, Field Training, Cost Sharing
Bureau of Indian Affairs	Cost Sharing
Army Corps of Engineers	Cost Sharing, Field Training, Staff Technical Assistance, Classroom Training, Grant Funding

revised May,1998

WATER POLLUTION CONTROL PROGRAM AND SUPPORT

(106 Grants)

Illegal Dumping

AUTHORIZATION: Clean Water Act. Section 106, as amended, Public Low 95-217, 33 U.S.C. 1251 et seq.

OBJECTIVES: To assist States (including territories, the District of Columbia, and Indian Tribes qualified under Section 518(c)), and interstate agencies in establishing and maintaining adequate measures for prevention and control of surface and ground water pollution.

TYPES OF ASSISTANCE: Formula Grants.

USES AND USE RESTRICTIONS: Broad support for the prevention and abatement of surface and ground water pollution from point and nonpoint sources including permitting, pollution control studies, planning, surveillance and enforcement; advice and assistance to local agencies; training; and public information. Funds cannot be used for construction, operation, or maintenance of waste treatment plants, nor can they be used to match other Federal grants.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: State and interstate water pollution control agencies as defined in the Federal Water Pollution Control Act. Agencies making application for funds must submit annually their pollution control program to the appropriate EPA Regional Administrator for approval. Requirements of the program are based on Section 106 of the Act, and 40 CFR Parts 35 and 130.

Beneficiary Eligibility: State and interstate water pollution control agencies and Indian Tribes qualified under Section 518(e) of the Clean Water Act (CWA).

Credentials/Documentation: Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments. State and interstate agencies show compliance with 40 CFR 35, Subpart A.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Informal meetings are held between regional office, State, territorial and Indian tribe applicant agences concerning program preparation. The standard application forms are fumished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should contact the appropriate EPA regional office for more information.

Application Procedure: The grants application must be submitted to the appropriate EPA Regional Office, Grants Administration Branch. This program is excluded from coverage under A-110.

Award Procedure: Application is reviewed by appropriate EPA Regional Office and if approved, is signed by the Regional Administrator.

Deadlines: Application forms must be submitted according to dates established by the Regional Administrator.

Range of Approval/Disapproval Time: Approximately 30 days.

Appeals: As described in 40 CFR Part 30 Subpart L.

Renewals: Funds may be awarded annually.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: This program has no statutory formula. Each EPA region awards Tribal 106 funds using a set of regional criteria. There is no match required for tribal funds.

revised May,1998

Length and Time Phasing of Assistance: One year; payments are made on a reimbursable basis with the schedule determined by the Tribe.

POST ASSISTANCE REQUIREMENTS:

Reports: Annual expenditure reports; semiannual program evaluations; revised budget following reallocation of funds; other reports as Grant Agreement requires.

Audits: In accordance with the provisions of OMB Circular No. A-128, "Audits of State and Local Governments," State and local governments that receive financial assistance of $100,000 or more within the State's fiscal year shall have an audit made for that year. State and local governments that receive between $25,000 and $100,000 within the state's fiscal year shall have an audit made in accordance with Circular No. A-128, or in accordance with Federal laws and regulations governing the programs in which they participate.

Records: Financial records, including all documents to support entries on accounting records and to substantiate charges to each grant, must be kept available to personnel authorized to examine EPA grant accounts. All records must be maintained for three years from the date of submission of the annual financial status report. If questions still remain, such as those raised as a result of audit, related records should be retained until the matter is completely resolved.

FINANCIAL INFORMATION:

Account Identification: 68-0108-0-1-304.

Obligations: (State and Tribal Grants) FY 95 $79,536,000, FY 96 est $80,700,000, and FY 97 est $80,700,000.

Range and Average of Financial Assistance: $40,000 to &4,000,000.

PROGRAM ACCOMPLISHMENTS: In each fiscal year, grants are awarded to encourage and support the conduct of Water Pollution Control programs by the 50 States, six territories, the District of Columbia, six Interstate Commissions, and Indian Tribes qualifying under Section 518(e).

REGULATIONS, GUIDELINES, AND LITERATURE: General Grant Regulations and Procedures, Environmental Protection Agency (40 CFR Part 30); Handbook of Procedures, State and Interstate Program Grants; Environmental Protection Agmcy, State and Local Assistance Programs, Grants for Water Quality Planning, Management and Implementation (40 CFR Part 35 and 40 CFR Part 35 Subpart A); "EPA Assistance Administration Manual," available from the National Technical Information Service, Springfield, VA 22161 on a subscription basis, Order No. UB/031.

INFORMATION CONTACT: Headquarters Office: Carol Crow, Office of Wastewater Management (4201), Office of Water, Environmental Protection Agency, Washington, DC 20460. Telephone: (202) 260-6742.

RELATED PROGRAMS: 66.454, Water Quality Management Planning; 66-600, Environmental Protection Consolidated Grants--Program Support.

EXAMPLES OF FUNDED PROJECTS: Grants to Tribes have been used to monitor lake, stream, and ground water quality; establish water quality standards and control nonpoint source pollution.

CRITERIA FOR SELECTING PROPOSALS: Section 106 funds are awarded to State, territory, interstate and Indian tribal agencies in accordance with overall water quality management needs, the requirements of programs covered by these agreement, and EPA program guidance.

revised May,1998

Tribal Grants

Illegal Dumping

AREAS OF CATEGORICAL (PROGRAM) FINANCIAL AND PROJECT ASSISTANCE AVAILABLE FROM EPA

For additional information and program limitations please contact the EPA Regional Office serving your area. They are listed at the end of this section.

CLEAN AIR ACT (CAA)

Major Objective: To Protect public health and welfare from harmful effects of air pollution.

Grants:
•Section 105 Air Quality Program Development Implementation •Section 103 R & D, Pilot Projects and
* Requires EPA approval of Tribal eligibility financial assistance and Special Studies application for financial assistance

CLEAN WATER ACT (CWA)

Major Objective: To restore and maintain the "chemical, physical and biological integrity of the nation's waters" , primarily through eliminating or controlling the discharge of pollutants into water systems (oceans, rivers, streams, lakes, estuaries, aquifers, & wetlands).

Grants
•Section 106 Water Quality Assessment and Planning
•Section 314 Clean Lakes
•Section 319(h) Non-Point Source Program
•Section 205 State Revolving Loan Program / Construction Wastewater Facilities
•Section 104(b) (3) R & D, Pilot Projects & Special
•Studies Wetlands
•Non-Point Source
•Water Quality Management
•(Sludge & Wastewater Discharge Management)

*Requires EPA approval of Tribal eligibility application for financial assistance

SAFE DRINKING WATER ACT (SDWA)

Major Objective: To assure that the Nation's drinking water supply is safe for human consumption by regulating both public water supply systems and ground water supplies.

Grants:
•Section 1443(a) Drinking Water Programs - Public Water Supply Supervision (PWSS) Program Development and Implementation
•Section 1443(b) Underground Injection Control Program Development and Implementation
•Section 1442(b)(2) R & D, Pilot Projects & Special Studies PWSS Wellhead Protection

*Requires financial EPA approval assistance of Tribal eligibility application for financial assistance.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

Major Objective: To regulate the sale and use of pesticides to ensure the least risk possible to human health and the environment from pesticides.

Grants:
•Section 23(a)(1)
Pesticide Enforcement Program Development and Implementation including:
Endangered Species
Pesticides in Groundwater
Worker Protection & Safety
•Section 20 R & D, Pilot Projects & Special Studies

COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT (CERCLA - SUPERFUND)

Major Objective: To create a tax on the chemical and petroleum industries to support a trust fund to clean up abandoned or uncontrolled hazardous waste sites.

revised May,1998

Grants:
•Section 104(d) - Core Superfund Program and Response Activity
•Section 311 - R & D, Pilot Projects & Special Studies

*Requires EPA approval of Tribal eligibility application for financial assistance

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT (SARA)
TITLE III: EMERGENCY PLANNING AND THE COMMUNITY. RIGHT-TO-KNOW ACT

Major Objectives: To prepare local communities for emergencies arising from spills and releases of hazardous materials.

Grants:
•Section 305(a) Training Grants for Chemical Emergency Planning and Response
•TSCA Section 10 - SARA Tile III Innovative Technical Assistance Grants for Chemical Emergency Planning.

Funding available on a limited basis through Federal Emergency Management Agency (FEMA)

INDIAN ENVIRONMENTAL GENERAL ASSISTANCE ACT

Major Objective: To provide funding for tribes to build tribal capacity to plan, develop and, establish environmental protection programs.

GRANTS AWARDED UNDER THIS ACT WILL BE SIMILAR TO THE MULTI-MEDIA ASSISTANCE WHICH EPA AWARDED IN FY91-93.

THIS ACT ALLOWS FOR:
- Congress can appropriate up to $15M per year.
- No assistance granted shall be for less than $75,000.
- Eligible recipients are Federally recognized tribes or consortia of two or more eligible tribes.

POLLUTION PREVENT ION ACT

Major Objective: To prevent or reduce pollution at the source whenever possible (i.e. source reduction, recycling, treatment to minimize human and environmental exposure).

Grants:
•Section 6005 Pollution Prevention Incentives for States (PPIS) (includes state universities and all federally recognizes Indian Tribes) •Also CWA-Section 104(b)(3); SDWA-Section 1442(b)(3); RCRA- Section 8001; CAA-Section 103(b)(3); TSCA- Section 10(a); FIFRA-Section 20(a); CERC!LA-Section 111(c) (1O)

NATIONAL ENVIRONMENTAL EDUCATION ACT

Major Objective: To support the design and implementation of environmental education programs that enhance critical thinking and problem solving skills to ensure informed responsible decisions are made to protect the environment.

Grants:
•Section 6 Environmental Education Grant Program

POINTS OF CONTACT:

EPA Region 6 (serves New Mexico, Texas, Oklahoma, Arkansas and Louisiana)

EPA Region 6 Main Office
1445 Ross Avenue
Suite 1200
Dallas, Texas 75202
(214) 665-2200

EPA Region 7 (serves Nebraska, Kansas, Iowa, and Missouri)

EPA Region 7 Main Office
726 Minnesota Avenue
Kansas City, Kansas 66101
(800) 223-0425
(913) 551-7003

EPA Region 8 (serves Montana, North Dakota, South Dakota, Wyoming, Utah, and Colorado)

EPA Region 8 Main Office
999-18th Street, Suite 500
Denver, Colorado 80202-2466
(800) 227-8917 (Region 8 states only)
(303) 312-6312

revised May,1998

INDIAN HEALTH SERVICE DIVISION OF SANITATION FACILITIES CONSTRUCTION

Illegal Dumping

ENVIRONMENTAL AREA: Sanitation facilities construction and utility organization technical assistance

CONTACTS:

Curtis C. Bossert, Director-DSFC
Aberdeen Area Indian Health Service
115 4th Avenue SE, Room 309
Aberdeen, South Dakota 57401
[605] 226-7451

Richard C. Oksness, P.E.
Billings Area Indian Health Service
P.O. Box 2143
Billings, Montana 59103
[406] 247-7096

Oklahoma Area Indian Health Service
3625 N.W. 56th Street, 5 Corporate Plaza
Oklahoma City, Oklahoma 73112
[405] 951-3882

OBJECTIVES: Through Public Law 86-12 1, to construct, improve, extend, or otherwise provide essential sanitation facilities, including domestic and community water supplies and facilities, sewage and waste disposal facilities, and solid waste disposal facilities, together with necessary appurtenances and fixtures, for Indian homes, communities, and lands.

TYPES OF ASSISTANCE: Project grants through Congressional allocations.

USE AND USE RESTRICTIONS: Funds are utilized through contracts [with approved contractors or Federally recognized Tribes] or contributions with Federally recognized Tribes to address identified sanitation facilities needs as outlined in the objectives section above. Funds cannot be used to obtain rights-of-way, operate or maintain constructed sanitation facilities, etc.

ELIGIBILITY REQUIREMENTS: Any Federally recognized Tribe, band, group, or community of American Indians/Alaska Native persons who are within the scope of the IHS program as determined by the policies, standards, and procedures set forth in Part 11, Chapter I, of the IHS manual. Individual American Indians/Alaska Natives are eligible but request for service must be made by the Tribal government. Each IHS Area has local eligibility requirements in addition to national criteria common to all Areas. IHS funding has mandated restrictions on types of housing that can be supported.

APPLICATION AND AWARD PROCESS: Tribes submit project proposals to the, IHS Area Office requesting financial and technical assistance with the provision of sanitation facilities. Funding is received from Congress and distribution of funds made at the Area level depending on funding levels received and amount of funding requested from the Tribes. To receive consideration for funding on a fiscal year basis, requests from Tribes should be received in the Area Office by July of the preceding year.

MATCHING REQUIREMENTS: No matching requirements

RANGE OF ASSISTANCE: $10,000 to $1,000,000+

RELATED PROGRAMS: Division of Environmental Health Services, Division of Facilities Management.

revised May,1998

SELF DETERMINATION GRANTS-INDIAN TRIBAL GOVERNMENTS

Illegal Dumping

AUTHORIZATION: Public Law 93-638, Section 103, as amended, 88 Stat. 2203.

OBJECTIVES: To provide financial assistance to tribal governments so that they can improve their capacity to: (1) plan, conduct and administer Federal programs with special emphasis on improving their ability to contract; and (2) put special emphasis on strengthening and improving tribal governments with respect to their fiscal and managerial capabilities. This special program emphasis is intended to complement the Aid to Tribal Government Program.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: Strengthen and improve administration of tribal government, planning, training, evaluation or other activities designed to improve the capacity of a tribe to enter into contracts; acquisition of land for these purposes; planning, designing, monitoring, and evaluating Federal programs serving the Indian tribes. Projects primarily for tribal economic development or enterprises or tribal profit making activities are not considered consistent with Section 103(a) of the Act (i.e., a grant for the purpose of determining the feasibility or subsidizing tribally owned construction company). Projects involving the funding of tribal scholarships or charitable programs are normally not consistent with the purposes for which grants are authorized.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Only governing bodies of federally recognized Indian tribes are eligible to apply for self-determination grants.

Beneficiary Eligibility: Federally recognized Indian tribes.

Credentials/Documentation: The Bureau of Indian Affairs will not make a grant unless specifically and officially requested to do so by a tribal governing body. This request may be in the form of a resolution, or such other forms as the tribal constitution or current practices require. Costs will be determined in accordance with OMB Circular No. A-87, except as noted in appendix A of the regulations.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Informal preapplication conference is recommended. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. Assistance is available from the Bureau to aid in preparation of the application. This program is excluded from coverage under E.O. 12372.

Application Procedure: Submit the following to BIA Agency Superintendent: (1) Part I - Public Law 93-638 Grant Application, (2) Part II - Narrative Statement; (3) Part III - Budget Data; (4) Part IV (Construction Program Only); (5) Must be accompanied by Tribal Resolution. (Contact Agency Office for forms and instructions.) This program is excluded from coverage under OMB Circular No. A-110.

Award Procedure: Grant application approved or disapproved by Area Director within 60 days. Notification in writing to tribal governing body, followed by final grant agreement negotiation and approval.

Deadlines: Announced annually by the Bureau of Indian Affairs.

Range of Approval/Disapproval Time: 60 days.

Appeals: In accordance with 25 CFR Part 2.

Renewals: Subject to availability of funds.

revised May,1998

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable; grants awarded on competitive basis.

Length and Time Phasing of Assistance: 1 year renewals. Small grants may be awarded in lump sum, larger grants use Treasury advance, cost reimbursement or a Letter of Credit.

POST ASSISTANCE REQUIREMENTS:

Reports: (1) Report of Federal Cash Transactions due within 15 days following the end of each quarter unless otherwise specified in grant agreement; (2) Performance report required along with Financial Status report; and, (3) Final Expenditure report due 90 days after end of grant period.

Audits: In accordance with the provisions of OMB Circular No. A-128, "Audits of State and Local Governments," State and local governments that receive financial assistance of $100,000 or more within the State's fiscal year shall have an audit made for that year. State and local governments that receive between $25,000 and $100,000 within the State's fiscal year shall have an audit made in accordance with Circular No. A-128, or in accordance with Federal laws and regulations governing the program in which they participate.

Records: Records to be maintained for a period of 3 years after completion of grant assistance.

FINANCIAL INFORMATION:

Account Identification: 14-2100-0-1-452.

Obligations: (Grants) FY 95 $0; FY 96 are $0; and FY 97 est $0.

Range and Average of Financial Assistance: Up to $35,000 per grant.

PROGRAM ACCOMPLISHMENTS: Tribes have accomplished a variety of projects to provide orientation and training of tribal leaders in the implementation of Public Law 93-638. Tribes have provided specialized technical assistance to tribal managers, program directors, accountants and other administrative staff, and have provided specialized assistance to aid tribes in contracting and for related purposes essential to tribal self-detemination. This program received no funding during fiscal year 1995.

REGULATIONS, GUIDELINES, AND LITERATURE: 25 CFR 272, 278; Procedural Guidelines for the Self-Determination Grants Program; Handbook for Decision Makers.

INFORMATION CONTACTS:

Regional or Local Office: Contact Superintendent at nearest BIA Agency Office.

Headquarters Office: Division Chief, James J. Thomas, Office of Indian Services, Code 480, Division of Self-Determination Services, 1849 C Street, NW, Washington, DC 20240. Telephone: (202) 208-5727. Use the same number for FTS.

RELATED PROGRAMS: None.

EXAMPLES OF FUNDED PROJECTS: A tribe commences a youth counseling service to reduce delinquency and improve its law and other programs. A tribe revises its constitution and by-laws to improve its government structure. A tribe updates its membership rules as basis for service. A tribe conducts service and evaluation of BIA programs in order to prepare program modifications.

CRITERIA FOR SELECTING PROPOSALS: All eligible proposals funded for an amount not exceeding the tribe's program allocation.

revised May,1998

TRAINING AND TECHNICAL ASSISTANCE - INDIAN TRIBAL GOVERNMENTS

(Self-Determination Training and Technical Assistance)

Illegal Dumping

AUTHORIZATION: Public Law 93-638, Section 103, as amended, 88 Stat. 2203.

OBJECTIVES: To aid Indian Tribes to exercise self-determination in accord with Public Law 93-638.

TYPES OF ASSISTANCE: Project Grants (Contracts); Advisory Services and Counseling; Provision of Specialized Services; Training.

USES AND USE RESTRICTIONS: Use is restricted to activities which further Indian Self-Determination according to Public Law 93-638 and implementing regulations: Provide training and technical assistance options; enhance tribes' understanding of the Act; help develop skills needed to utilize options; enhance capability to contract for Bureau and other Federal programs; strengthen tribal government; utilize Personnel use options; and improve capabilities to direct Bureau and other Federal programs. The Bureau is obligated to offer a tribe training and technical assistance to overcome grounds for declining to contract with a tribe. Also, regulations mandate other instances in the contracting and grant process where technical assistance is offered to tribes. In all instances, tribes are free to accept or reject such offers. Counseling and advisory services are dependent upon availability of Bureau/Federal personnel. Financial assistance is dependent upon funds available within each Area and establishment of tribal priority needs within the Area.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Governing body of any federally recognized Indian tribe.

Beneficiary Eligibility: Federally recognized Indian tribes.

Credentials/Documentation: A tribal request in the form of a resolution or some other form in accord with the tribal constitution or current practice shall accompany the request. For construction contracts, Federal Acquisition Regulations or Contract procedures of Public Law 93-638 may apply; for grants, costs will be determined in accordance with OMB Circular No. A-87, except as noted in Appendix A of 25 CFR.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Informal preapplication conference is recommended. The standard application forms, as furnished by the Federal agency and required by OMB Circular No. A-102, must be used for this program. This program is excluded from coverage under E.O. 12372.

Application Procedure: Submit the following to BIA Agency Superintendent: (1) Part I - Public Law 93-638 Grant Application; (2) Part II - Narrative Statement; (3) Part III - Budget Data; (4) Part IV-(Construction Program Only): (5) Must be accompanied by Tribal Resolution. (Contact Agency Office for forms and instructions. This program is excluded from coverage under OMB Circutar No. A-110.

Award Procedure: Grant application approved or disapproved by Area Director within 60 days. Notification in writing to tribal governing body, followed by final grant agreement negotiation and approval.

Deadlines: Announced annually by the Bureau of Indian Affairs.

Range of Approval/Disapproval Time: 60 days.

Appeals: In accordance with 25 CFR Part 2.

Renewals: Subject to availability of funds.

revised May,1998

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable; grants awarded on a competitive basis.

Length and Time Phasing of Assistance: 1 year renewals. Small grants may be awarded in lump sum, larger grants use treasury advance, cost reimbursement or a Letter of Credit.

POST ASSISTANCE REQUIREMENTS:

Reports: 1) Report of Federal Cash Transactions due within 15 days following the end of each quarter unless otherwise specified in grant agreement; (2) Performance report required along with Financial Status report; and, (3) Final Expenditure report due 90 days after end of grant period.

Audits: In accordance with the provisions of OMB Circular No. A-128, "Audits of State and Local Governments," State and local governments that receive financial assistance of $100,000 or more within the State's fiscal year shall have an audit made for that year. State and local governments that receive between $25,000 and $100,000 within the State's fiscal year shall have an audit made in accordance with Circular No. A-128, or in accordance with Federal laws and regulations governing the program in which they participate.

Records: Records to be maintained for 3 years after completion of project activity.

FINANCIAL INFORMATION:

Account Identification: 14-2100-0-1-452.

Obligation: (Grants) FY 95 $O; FY 96 est $O; and FY 97 est $O.

Range and Average of Financial Assistance: Up to $35,000 per grant.

PROGRAM ACCOMPLISHMENTS: Tribes have accomplished a variety of projects to provide orientation and training of tribal leaders in the implementation of Public Law 93-638; tribes have provided specialized technical assistance to tribal managers, program directors, accountants and other administrative staff, and provided specialized assistance to aid tribes in contracting and for related purposes essential to tribal self-detemination. This program received no funding during FY 1995.

REGULATIONS, GUIDELINES, AND LITERATURE: 25 CFR 272, 278; Procedural Guidelines for the Self-Determination Grants Program; Handbook for Decision Makers.

]INFORMATION CONTACTS:

Regional or Local Office: Contact Superintendent at nearest BIA Agency Office.

Headquarters Office: Division Chief, James J. Thomas, Office of Indian Services, Code 480, Division of Self-Detemination Services, 1849 C Street, NW, Washington, DC 20240. Telephone: (202) 208-5727. Use the same number for FTS.

RELATED PROGRAMS: None.

EXAMPLES OF FUNDED PROJECTS: A tribe commences a youth counseling service to reduce delinquency and improve its law and other programs. A tribe revises in constitution and by-laws to improve its government structure. A tribe updates its membership rules as basis for service. A tribe conducts service and evaluation of BIA programs in order to prepare program modifications.

CRITERIA FOR SELECTING PROPOSALS: Eligible proposal, funded up to the allocated program amount for each tribal government.

revised May,1998

REIMBURSABLE SUPPORT PROGRAM

Illegal Dumping

US Army Corps of Engineers

OVERVIEW:

The U.S. Army Corps of Engineers is authorized by Congress to provide reimbursable assistance to Native American governments as well as other Federal agencies, state/local/territorial governments, private firms and international organizations. Under this program the Corps manages approximately $700,000,000 of work each year by providing quality engineering, environmental, construction management, real estate, research and development and related services.

Customers or sponsors provide full funding for the effort, and retain control and legal responsibility for their program. The Corps executes within the terms of a mutually agreed scope of work, while helping to ensure timely project completion within budget.

Supporting others enables the Corps to maintain and enhance its capabilities. The diversity of work allows us to apply design and construction expertise in new and innovative ways.

The Office of Management and Budget (OMB) recognizes the value of the work performed by the Corps and supports the program by providing full-time-equivalent (FTE) resourcing specifically for this mission. The Administration considers this program an example of a business-like practice and supports it in the National Performance Review with the recommendation to "maximize the use of the Corps planning, engineering and contract management capabilities in support of other Federal agency programs."

GOALS:

The goal of the program is to apply Corps capabilities to assist others in the execution of their missions, not to take away their work. Many agencies do not possess technical expertise to fulfill the in-house engineering needs of their programs. Furthermore, many do not have the staff to effectively manage environmental, engineering or construction work being conducted by private firms under contract. The Corps can fill that void.

The Corps commits to support a customer only after making certain that adequate resources and technical skills are available to ensure absolute customer satisfaction.

The Corps negotiates an interagency agreement (IA) or memorandum of agreement (MOA) with the customer before starting work. Customer's needs are the main focus in developing and tailoring the agreements and executing the work. Additionally, customers have no obligation to provide work to the Corps. The customer decides whether or not to use the Corps and to what extent. This provides extra incentive for the Corps to provide quality service.

One of the main goals is to conduct this program in partnership, not in competition, with the private sector. The Corps relies heavily on the talents of private firms to execute this mission. While relying on the private sector for technical expertise, the Corps functions as an extension of the agency's staff providing expert government presence and oversight to protect the customer's interests. This capability relieves the agency of the burden of hiring and training specialists to perform these functions. As a result, the customer gains the Corps proven contract management experience and effectiveness in the execution of their missions while saving them money and work force.

More information about this program is available from the regional Corps District office.

revised May,1998

REGULATORY PROGRAM

Illegal Dumping

US Army Corps of Engineers

PROGRAM OVERVIEW:

Numerous public laws, dating back to 1890, charge the U.S. Army Corps of Engineers with responsibility for regulating various activities that affect water resources. If a government sponsor, other public agency, private group, or individual proposes to undertake a regulated activity (listed below), they must apply to the Corps for a permit that will allow them to do so. The proposal will be reviewed, then a decision to permit or deny the project will be made. The decision is based on a full public interest review involving a balancing of the proposed activity's benefits against the activity's detrimental impacts. In addition to this balancing process, specific environmental standards must be met for dischargers of dredged or fill material into waters of the United States, including wetlands. In most cases, permits are issued with conditions that describe additional actions that must be taken to protect the environment and otherwise make the proposal acceptable.

TYPES OF REGULATED ACTIVITIES INCLUDE:

* Construction of other structures or work, including excavation, dredging, or disposal activity in waters of the United States. The term "structural" shall include without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other obstacle or obstruction. The term "work" shall include without limitations, any dredging or disposal of dredge material, excavation, filling, or other modification of a navigable water of the United States.

* Discharges of dredged or fill material into the waters of the United States, including wetlands ; incidental discharge associated with land clearing and excavation activities.

TYPES OF PERMITS:

There are two general categories of permits: individual permits for a specific project; and general permits for certain classes of undertakings. There are 36 nation wide general permits and over 300 regional general permits.

revised May,1998