

FALLON PAIUTE-SHOSHONE TRIBE



INTEGRATED SOLID WASTE MANAGEMENT PLAN

DRAFT

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RESOLUTION

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LIST OF ACRONYMS

BIA	Bureau of Indian Affairs
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
EM	Environmental Manager
FBC	Fallon Business Council
FPST	Fallon Paiute-Shoshone Tribe
IHS	Indian Health Service
ISWMP	Integrated Solid Waste Management Plan
RCRA	Resource Conservation and Recovery Act

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1 INTRODUCTION

This Integrated Solid Waste Management Plan (ISWMP) has been prepared by the Fallon Paiute-Shoshone Tribe to guide the effective management of solid waste in a manner that meets the Tribe's needs, while improving human health and protecting the environment.

The purpose of the ISWMP is to attain an environmentally sound, feasible, and publicly acceptable solid waste management system. The ISWMP will provide an overview of the Tribe's existing solid waste management practices, and assist and guide the Tribe in improving solid waste management programs. The plan identifies current successes, challenges and opportunities for improvement by establishing priorities and criteria for decision making.

An approved ISWMP will support future grant proposals for solid waste program implementation and improvements. This plan is a living document that can be reviewed and updated periodically to address solid waste management issues and concerns.

The planning of a comprehensive waste prevention program to reduce, reuse, and recycle is expected to be consistent with the goals and objectives of this plan.

This plan addresses six specific goals which will be achieved through a planning process. These goals are as follows:

- To promote and protect human health and the environment of the Fallon Paiute-Shoshone Tribe (FPST) through provisions of solid waste management codes. Tribal codes are established to preserve and protect the environment and quality of life.
- To insure that all tribal and community members have an environmentally and economically viable method of solid waste disposal.
- To develop and implement waste prevention, recycling, reuse, and composting systems as alternatives to landfill disposal.
- To develop an integrated approach to solid waste management that will meet the needs and conditions of the Fallon Paiute-Shoshone Tribe.
- To define management responsibilities as well as assign appropriate roles to ensure necessary actions are taken to implement the solid waste plan.

1.1 Applicable Ordinances and Regulations

The following solid waste ordinances and regulations apply to solid waste on tribal lands.

1.1.1 Tribal Open Dump Ordinance

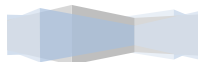
The FPST adopted Tribal Resolution 99-F-022 Open Dump Ordinance in January of 1999 that established open dumping as an illegal act on tribal lands. Updated or additional codes and ordinances may be necessary to take action on known instances of open dumping. The Tribal Open Dump Ordinance is contained in Appendix A.

1.1.2 Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act of 1976 is the public law that created the framework for the proper management of hazardous and non-hazardous solid wastes. The act introduced and encouraged the practices of waste minimization through source reduction, affirmative procurement (use of recovered materials), recycling, and conversion of waste to energy. The RCRA Section 6002 specifically requires the federal government to promote standards and practices for the procurement of recycled and recovered materials. The act was codified in Title 40, Code of Federal Regulations (CFR) Parts 240-272.

Pertinent sections are listed below:

- Part 240: Guidelines for the Thermal Processing of Solid Wastes - contains guidance for the operation of solid waste incinerators and thermal processing units.
- Part 243: Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste - establishes requirements and recommended practices for the storage, collection and management of solid waste, and for the operation of vehicles used in the collection, transport, and handling of waste.
- Part 246: Source Separation for Materials Recovery Guidelines - contains recycling requirements for the recovery of paper, corrugated containers, and other consumer goods.
- Part 247: Guidelines for Procurement of Products that Contain Recycled Material - contains guidance regarding "buy recycled" practices that will stimulate the recovered materials market.
- Part 257: Criteria for Classification of Solid Waste Disposal Facilities and Practices - contains guidance for determining whether disposal facilities meet minimum standards to protect human health and the environment.
- Part 258: Criteria for Municipal Solid Waste Landfills - establishes criteria and requirements for operating a municipal solid waste landfill, and includes location restrictions, operating criteria, design criteria, ground-water and explosive gases monitoring, and closure and post-closure requirements.
- Part 261: Identification and Listing of Hazardous Waste - contains the RCRA definition of a solid waste and lists the criteria for characterization as a hazardous waste.
- Part 268: Land Disposal Restrictions – identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be land disposed.



1.1.3 Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 (Expanded on under the Pollution Prevention Act of 1990)

The Emergency Planning and Community Right-to-Know Act of 1986 was created to help communities plan for emergencies involving hazardous substances. EPCRA requires hazardous chemical emergency planning by federal, state and local governments, Indian tribes and industry.

1.1.4 Pollution Prevention Act of 1990, Public Law 101-508, November 5, 1990

The Pollution Prevention Act established a national policy to prevent or reduce waste generation through source reduction, reuse, recycling, and treatment. It introduced the pollution prevention hierarchy of waste management options that is the cornerstone of integrated solid waste management.

1.1.5 Indian Lands Open Dump Cleanup Act

The Indian Lands Open Dump Cleanup Act of 1994 (P.L. 103-399) required the Indian Health Service (IHS) to provide technical and financial support to inventory and close open dumps on Indian lands, and to maintain the sites after closure. According to IHS, only two of more than 600 waste dumps on Indian lands met current EPA regulations prior to the law's enactment.

1.1.6 State of Nevada Solid Waste Regulations

Although the State of Nevada Solid Waste Regulations do not extend to tribal lands, the Tribe must meet the requirements of the regulation when transporting or disposing of solid waste into landfill facilities within the State of Nevada. NRS 444.440 is a declaration of state policy that regulates the collection and disposal of solid waste in a manner that will protect public health and welfare, prevent water or air pollution, prevent the spread of disease and the creation of nuisances, conserve natural resources and enhance the beauty and quality of the environment.

1.2 Other Ordinances, Regulations, and Guidance

The following are regulations and executive orders that do not directly apply to tribal lands, but are used by the Tribe in solid waste planning as a guide for program development.

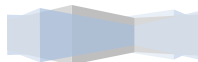
1.2.1 Executive Orders

- EO 12856, Federal Compliance with Right-To-Know Laws and Pollution Prevention Requirements, 3 August 1993. This order mandates Federal facility compliance with the Pollution Prevention Act.
- EO 12780, Federal Agency Recycling and Council on Federal Recycling and Procurement Policy, October 1991. This order encouraged Federal agencies to exercise waste reduction, recycling, and Affirmative Procurement.
- EO 13693, Planning for Federal Sustainability in the Next Generation. Requires federal agencies to increase efficiency and

improve their environmental performance by reducing energy use and cost, then on finding renewable or alternative energy solutions. Expanded and update Federal environmental performance goals with a clear overarching objective of reducing greenhouse gas emissions across Federal operations and the Federal supply chain. Use sustainable environmental practices when acquiring goods and services, including acquisition of bio-based, environmentally preferable, energy-efficient, water-efficient, and recycled-content products. Executive Order 13693 signed on 19 March 2015. Executive Order 13693 revokes Executive Orders 13423.

1.2.2 Affirmative Procurement Notices and Guidelines

- Federal Register Volume 60, Number 21370, “Comprehensive Procurement Guideline (CPG) I”, 1 May 1995. The CPG I Designated Products: 19 new items (in addition to the original 5 designated items) made with recovered materials and recommended practices for purchasing. The Recovered Materials Advisory Notice (RMAN) I provided recommended recovered materials content levels for the 19 new items in CPG I.
- Federal Register Volume 61, Number 26985, “Paper RMAN I”, 29 May 1996. Updated and expanded the recommendations for purchasing paper and paper products containing postconsumer and recovered fiber.
- Federal Register Volume 62, Number 60962, “CPG II”, 13 November 1997. The CPG II Designated Products: 12 new items (in addition to the 24 previously designated items) made with recovered materials and recommended practices for purchasing. The RMAN II Provides recommended recovered materials content levels for the 12 new items in CPG II and other purchasing recommendations. Also clarifies recommendations for floor tiles previously made in RMAN I.
- Federal Register Volume 63, Number 31217, “RMAN I Update”, 8 June 1998. Contains a new reference to GSA's carpet schedule and a recommendation for the recovered materials content level for plastic batt building insulation.
- Federal Register Volume 63, Number 31214, “Paper RMAN II”, 8 June 1998. Revised the Paper RMAN I recommendations for purchasing uncoated printing and writing papers containing postconsumer fiber.
- Federal Register Volume 65, Number 3070, "CPG III," 19 January 2000. The CPG Designated Products: 18 new items (in addition to the 36 previously designated items) made with recovered materials and recommended practices for purchasing. The RMAN III contains recommended recovered materials content levels for the 18 new items in CPG III and provides other purchasing recommendations. RMAN III also contains revised recovered materials content recommendations for steel shower and restroom



dividers/partitions, steel recycling containers and waste receptacles, and the steel components of traffic barricades and delineators.

- Federal Register Volume 69, Number 24028, “CPG IV”, 30 April 2004. CPG IV Designated Products: 7 new items (in addition to the 54 previously designated items) Modular threshold ramps, Non-pressure pipe, Roofing materials, Office furniture, Rebuilt vehicular parts, Bike racks, Blasting Grit and 3 revised cement and concrete, railroad grade crossing surfaces, and polyester carpet. The RMAN IV contains recommendations for purchasing the 7 new items and 3 revised items in CPG IV. Also contains revised recommendations for two other previously designated items.
- Federal Register Volume 72, Number 52475, “CPG V”, 14 September 2007. CPG V Designated Products: EPA is changing the description of “compost” by consolidating all compost designations under one item designation: “compost made from recovered organic materials.” The old description of compost referred to compost made from yard trimmings and food waste. The revised description still includes compost made from yard trimmings and food waste but also includes compost made from bio-solids and manure and does not limit the designation to those four specific types of recovered organic materials. EPA is adding “fertilizer made from recovered materials” as a designated landscaping item. The RMAN V will recommend specifications to assist procuring agencies in fulfilling their statutory obligation to purchase designated items with the highest percentage of recovered materials content practicable. Under the Resource Conservation and Recovery Act (RCRA), procuring agencies will be required to begin purchasing the newly-designated items within one year from the date that this rule is published in the Federal Register.

1.2.3 Additional Sources of Information

- Decision-Maker's Guide to Solid Waste Management, Second Edition, EPA 530-R-95-023, August 1995.
- Characterization of Municipal Solid Waste in the United States: 1998 Update, EPA 530-R-99-021, September 1999.
- Measuring Recycling - A Guide for State and Local Governments, EPA 530-R-97-011, September 1997.
- The Consumer's Handbook for Reducing Solid Waste, EPA 530-K-96-003, September 1996.

1.2.4 Web Sites of Information

- U.S. EPA Office of Solid Waste – provides guidance and information on a variety of solid waste topics. <http://www.epa.gov/osw/>
- U.S. EPA Environmentally Preferable Purchasing – the Office of Pollution Prevention and Toxics guidance on green purchasing. <http://www.epa.gov/opptintr/epp/>

- U.S. EPA Comprehensive Procurement Guidelines - contains CPGs and RMANs as well as product information and supplier lists. <https://www.epa.gov/smm/comprehensive-procurement-guideline.htm>
- U.S. EPA publications list for landfills – assortment of EPA documents on the subject of municipal solid waste landfills. https://archive.epa.gov/epawaste/nonhaz/municipal/web/html/sw_pubs.html
- Code of Federal Regulations – online access and search of the CFR to provide the public with enhanced access to codified regulations. <https://www.govinfo.gov/help/cfr>
- Solid Waste Association of North America – an educational association and advocacy group for solid waste professionals in the public and private sector. <http://www.swana.org/>
- National Recycling Coalition – dedicated to increasing awareness of recycling and relaying the positive impact of recycling. <http://www.nrc-recycle.org/>
- Global Recycling Network – a business-oriented free-access site dedicated to recycling information. <http://grn.com>

1.3 Federal Agencies Involved

The United States has a unique legal relationship with tribal governments based on specific constitution, treaties, statutes, executive order and court decisions. Under the American legal system, tribes have sovereign powers separate and independent from the federal and state governments.

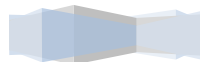
Because of the unique nature of tribal sovereignty and specific federal legislation recognition, various governmental agencies are involved in assisting tribes. Agencies assisting tribes with solid waste management needs and concerns are included.

1.3.1 Environmental Protection Agency (EPA)

The EPA is entrusted with the responsibility to protect human health and the environment. Working on a government-to-government basis with tribes, the EPA gives special considerations to tribal interests in making agency policy and to insure the close involvement of tribal governments in making decisions and managing environmental programs affecting reservation lands. In 1984, EPA became the first federal agency to adopt a formal Indian Policy of working with federally recognized tribes on a government-to-government basis. This policy is intended to provide guidance to EPA staff and managers in dealing with tribal governments and in responding to the problems of environmental management on reservations in order to protect public health and the environment.

1.3.2 American Indian Environmental Office (AIEO)

The AIEO is an office with the Federal EPA that coordinates an agency-wide effort to strengthen public health and environmental protection in Indian Country. AIEO oversees development and implementation of the Agency's Indian Policy and ensures that the agency-wide implementation of its Indian



Program is consistent with the Administration's policy to work with tribes on a government-to-government basis to protect tribal health and the environment.

1.3.3 Indian Health Service (IHS)

An agency within the Department of Health and Human Services, the IHS is responsible for providing federal health services to American Indians and Alaska Natives. The IHS is the principal federal health care provider and health advocate for Indian People and its goal is to raise their health status to the highest possible level. The Sanitation Facilities Construction Program within the IHS, provides assistance for the cooperative development and continued operation of safe water, waste water and solid waste systems and related support facilities for American Indian and Alaska Native homes and communities.

1.3.4 Bureau of Indian Affairs (BIA)

The BIA is responsible for the administration and management of 55.7 million acres of land held in trust by the United States for American Indians, Indian tribes and Alaska Natives. Within the government-to-government relationship, the BIA provides services directly or through contracts, grants or compacts to 566 federally recognized tribes with a service population of about 1.9 million American Indian and Alaska Natives. While the role of the BIA has changed significantly in the last three decades in response to a greater emphasis on Indian self governance and self-determination, tribes still look to the Bureau for a broad spectrum of services.

2 SOLID WASTE PROGRAM

The purpose of the Tribal Solid Waste Program is to improve waste management on tribal lands through source reduction, recycling, and wise decision making through policies and practices that convert waste into a resource when it is of benefit to the environment and community.

2.1 Program Objectives

The following are the objectives of the FPST Solid Waste Program.

- To effectively manage solid waste in a manner that protects human health and promotes improvement to the environment.
- To reduce the volume of solid waste generated through tribal programs and on tribal lands to meet or surpass waste reduction goals.
- To turn elements of the solid waste stream into a resource where appropriate, through recycling and composting programs to the maximum extent possible.
- To implement affirmative procurement guidelines and maximize environmentally preferable purchasing within tribal programs.
- To comply with applicable federal, state, and tribal solid waste management regulations.

The factors that the Solid Waste Program considers when working toward the objectives identified, are regulatory authority, political structure, the economic situation of the tribal government and community, and environmental concerns.

2.2 Description of the Community Service Area

The Fallon Paiute-Shoshone Tribe (FPST) of the Fallon Reservation and Colony is a Federally-recognized Indian tribe that manages tribal trust and non-trust properties located within Region 9 boundaries of the EPA. There are two tribes that occupy the FPST Reservation, the Paiute and Shoshone Tribes.

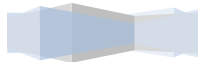
2.2.1 Tribal Land Locations

The FPST Reservation is located in Churchill County in West Central Nevada. The nearest city with a population of over 25,000 is Reno, Nevada, located approximately 65 miles to the East. The City of Fallon with a population of 8,500 is located 12 miles west of the Reservation.

The Fallon Colony is located approximately 2 miles North East of the City of Fallon.

The 36 acre Fox Peak Centre and property are located within the City of Fallon limits and another Fox Peak Station located in the City of Fernley.

The location map for the FPST Reservation, Colony, and vicinity are located in Figure 2-1.



2.2.2 Population

The current FPST population of the Reservation is approximately 1200 tribal members.

2.2.3 Tribal Households and Subdivisions

The residential population on tribal lands is concentrated in areas designated as housing subdivisions. There are also numerous homes located outside of the designated subdivision areas on scattered sites. There are approximately three hundred and thirty households situated on tribal lands.

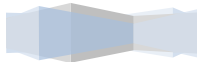
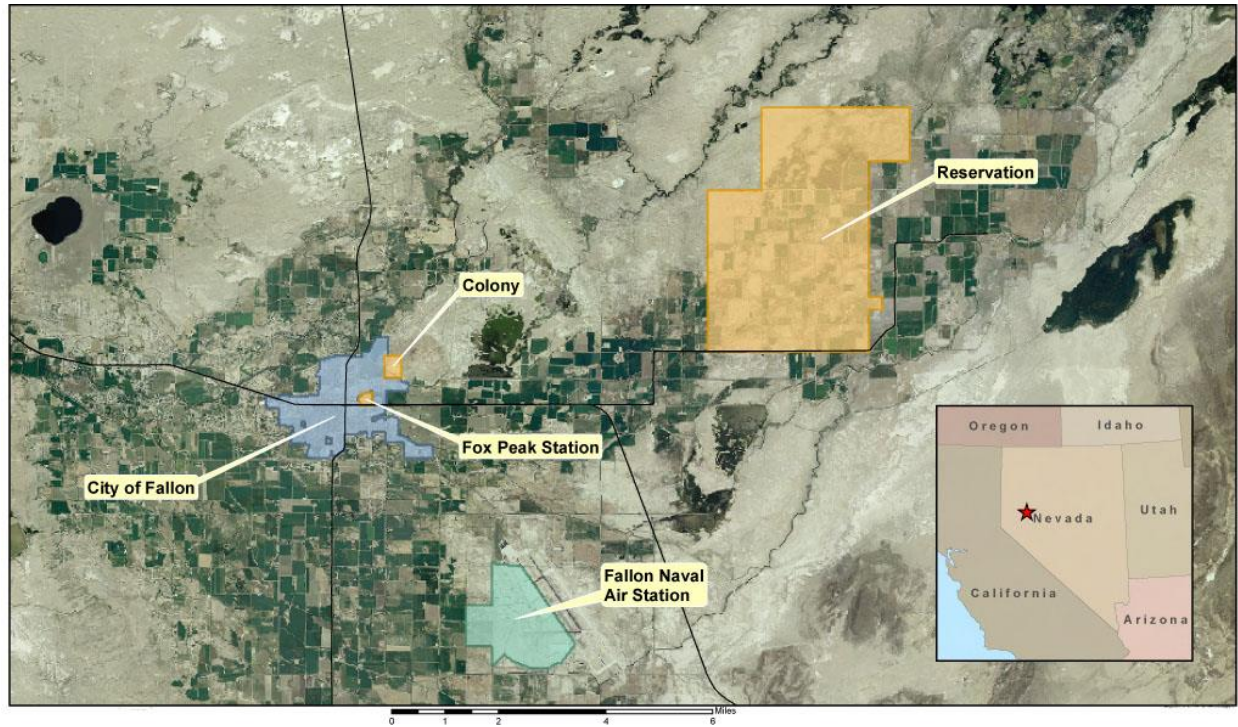
2.2.4 Tribal Land Base and Uses

Since the establishment of the Tribe in 1907, the land base of the Tribe has grown as additional land was granted to and acquired by the Tribe. An additional 3,480 acres were added to the North side of the Reservation. This property is known as Fallon II. The Tribe acquired 36 acres of land within the City of Fallon for economic development. The Tribe opened the Fox Peak Station and Fox Peak Cinema on the 36-acre property. Additional property was acquired by the Tribe in Fernley, NV for economic development. The Tribe opened the Fox Peak 2 station on the Fernley property. The primary land use on Tribal lands by area is agricultural followed by residential and commercial.

Table 2-1 FPST Land Base

Property Name	Acres	Primary Land Use	Secondary Land Use
Reservation	3,480	Agricultural	Residential
Allotted	4,640	Agricultural	Residential
Colony	60	Residential	None
Fox Peak Fallon Site	36	Commercial	None
Osgood	80	Agricultural	None
Fox Peak Fernley Site	1	Commercial	None
Fallon West	2	Commercial	None
TOTAL ACRES	8,299		

Figure 2-1 FPST Reservation, Colony, and Vicinity Map



2.3 Roles and Responsibilities

The following are the roles and responsibilities of those within the Tribal governmental structure that play a role in the development and implementation of the program.

2.3.1 Fallon Business Council

It is the responsibility of the Fallon Business Council (FBC) to approve policies and ordinances that protect the long-term interests of the members of the FPST. The roles and responsibilities of the FBC related to solid waste management include:

- Review and approves ordinances and policies that are recommended by the Environmental Protection Department regarding solid waste.
- Review and approves the Integrated Solid Waste Management Plans prior to implementation.
- Issue resolutions and policies that support and advise the tribal administration and directors on their responsibilities regarding solid waste management.
- Notify the Environmental Manager about environmental and solid waste issues arising on tribal lands.

2.3.2 Environmental Manager

It's the responsibility of the Environmental Manager (EM) to provide policy direction, guidance, and oversight for all activities taking place on tribal lands that may have an impact on human health and the environment. The Environmental Manager reports to the FBC. The roles and responsibilities of the Environmental Manager related to solid waste management include:

- Develop objectives and strategies as a part of the ISWMP for the management, reduction, recycling and disposal of solid waste to ensure that applicable policies, ordinances, and regulations are followed at all times.
- Recommend ordinances and policies to the FBC for approval and adoption.
- Advise tribal program directors on the requirements and responsibilities necessary to meet the objectives of this plan.
- Review contracts related to solid waste management for environmental compliance.
- Oversee budgets and grant programs that support solid waste management.
- Report to the FBC on issues related to solid waste management and recycling.
- Assess the benefits, cost-effectiveness and efficiency of solid waste management strategies.

2.3.3 Environmental Protection Department Staff

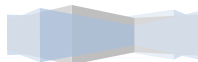
It is the responsibility of the Environmental Protection Department staff to carry out the day-to-day functions of the ISWMP and the recycling program. The Environmental Protection Department staff reports to the Environmental Manager. The roles and responsibilities of the department staff include:

- Recommend changes in policies or procedures to improve program management when necessary.
- Ensure that tribal department directors and staff are given guidance and training about their responsibilities identified in the ISWMP.
- Ensure that the community is provided with all necessary information and education about participation on programs that are offered.
- Develop, implement, and update SOPs for operation of the program.
- Conduct the day-to-day activities of the recycling program.
- Report on the status of the recycling program to the Environmental Manager.

2.3.4 Tribal Department Directors

It is the responsibility of the tribal department directors to ensure that the objectives of the ISWMP are met while implementing programmatic goals of the Tribe for the protection of the environment, the health of the members of the tribe and the financial liability of the FBC. The roles and responsibilities of the department directors related to the management of solid waste include:

- Monitor department activities associated with departmental management, reduction, recycling, procurement, and disposal of solid waste to ensure that applicable policies, ordinances, and regulations are followed at all times.
- Consider the objectives of the ISWMP when planning to include disposal, procurement, reduction, and recycling.
- Recommend improvements to the solid waste program to better achieve the objectives of the ISWMP.
- Ensure their department is properly participating in the tribal recycling program.
- Provide the education and opportunity to departmental staff to participate in solid waste programs such as desk-side recycling, procurement, and waste reduction.
- Notify the Environmental Manager about environmental and solid waste issues arising on tribal lands or within the department.



2.3.5 Tribal Staff

It is the responsibility of the tribal staff to ensure that their day-to-day activities meet the objectives of the ISWMP by taking care that the management, reduction, recycling, procurement and disposal of solid waste is handled properly. The roles and responsibilities of tribal staff related to the management of solid waste include:

- Reduce the amount of solid waste generated by procuring products made of recycled and eco-friendly materials with less packaging and by buying only the amounts needed.
- Reduce the amount of solid waste generated by analyzing the daily work flow to improve efficiency, reduce waste, and save money. (i.e. set printers to print 2-sided by default, print only when necessary, implement an electronic filing system to reduce the number of paper copies made.)
- Ensure that solid waste generated during department activities is recycled or disposed of according to all applicable ordinances and regulations.
- Participate in waste reduction and recycling programs offered by the Environmental Protection Department.
- Notify the Environmental Manager about environmental and solid waste issues arising on tribal lands or within the department.

3 SOLID WASTE STREAM

Although the Environmental Protection Department has not yet conducted a comprehensive waste stream analysis for the FPST Reservation, there is some information gathered by the Environmental Protection Department staff about the general characteristics of the waste stream that are helpful in decision making processes related to the management, reduction, recycling, procurement and disposal of solid waste on tribal lands.

3.1 Waste Characterization

Although this waste characterization does not contain quantities of waste type being contributed to the waste stream through waste generation activities on tribal lands, it provides an important snapshot of the waste stream on tribal lands.

3.1.1 Residential

Residential waste typically includes wastes from single and multi-family dwellings. This waste stream consists of paper, glass, metals, plastics, food waste, bulky items, furniture, and yard waste. In some cases, recyclable materials are segregated from other wastes for separate collection.

3.1.2 Commercial and Departmental Offices

These include department offices, medical clinic (not including regulated medical wastes), convenience store/smoke shops, Fox Peak Cinema, senior center, emergency youth services and head start school. Typical wastes include paper, food wastes, cardboard, tin, aluminum, glass and plastics.

3.1.3 Industrial

These include tribal maintenance shop and yard. Typical wastes materials discarded from tribal operations, include scrap metals, tires, anti-freeze, non-hazardous solvents, greases and used oil.

3.1.4 Construction and Demolition

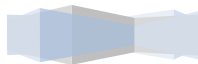
These include tribal housing and special projects. Typical wastes include lumber, reinforcing steel, pipes, wires, concrete, brick, plaster, metal, wall board, roofing, insulation materials, and asphalt. Every effort should be made to salvage materials for sale/reuse or recycle them in lieu of land filling or incineration.

3.1.5 Yard Waste

Yard wastes typically include grass, weeds, and trimmings from trees and shrubbery.

3.1.6 Other Special Wastes

Commercial and industrial activities on tribal lands can result in the generation of certain hazardous and non-hazardous solid waste that cannot be disposed of as general refuse. Some examples of special wastes are: waste oil, absorbents with petroleum produces, tires, ash, chemicals, scrap metal, adhesives, non-



RCRA cleansers, latex paint, water treatment/wastewater treatment sludge, dead animals, pallets, batteries, antifreeze, asbestos, kitchen grease, pesticide containers, pollution control residuals, and septic tank wastes.

The tribal community also generates household hazardous wastes that needs to be disposed of in a safe and proper way and out of the landfill.

DRAFT

4 SOLID WASTE MANAGEMENT BACKGROUND

4.1 Solid Waste Collection and Disposal

The following describes the present Fallon Paiute-Shoshone Tribe's solid waste collection and disposal system.

4.1.1 Current Collection System

The existing solid waste collection system is presently meeting the needs of the Fallon Paiute-Shoshone Tribe. Residents are responsible for placing their trash at curbside for waste collection on their assigned waste collection days. Tribal departments and businesses are responsible for disposing of their waste in a waste collection container, typically located adjacent to their building.

4.1.2 Curbside Collection Is Provided Through Contracted Service

Waste collection contractors collect and transports the waste to appropriate disposal facilities located off tribal lands. There various local waste collection contractors that serve the reservation, colony and Fox Peak enterprises. The Pyramid Lake Paiute Tribe began additional waste collection services to the community in 2019.

4.1.3 Available Inventory & Equipment

The Fallon Paiute-Shoshone Tribe does not currently have solid waste collection equipment. The Public Works Department has one roll-off hoist truck and two dumpsters for community or private clean-up projects.

4.2 Solid Waste Facilities

In the past, many tribes disposed of their waste in open pits or by burning it. Due to changes in the types and volumes of waste generated today, these practices are no longer safe or effective ways to manage solid waste.

Permitted solid waste facilities exist for waste acceptance and disposal. These facilities include:

- Transfer Stations
- Landfills
- Recycling Facilities
- Composting Facilities

4.2.1 Transfer Stations

A transfer station is a facility where waste materials are taken from smaller collection vehicles and placed in larger vehicles for transport to their ultimate site of disposal, often a land fill. Transfer stations can be designed for versatility to accept anywhere from 1 ton of waste per week to several hundred tons of waste per day.



Transfer stations are part of the disposal system in that they are a consolidation point for waste from different jurisdictions, thereby making the travel to a distant landfill more economical. Privately owned and operated transfer stations can be established and permitted if they are found to meet the Federal RCRA law.

4.2.1.1 Current Conditions

The City of Fallon has an operating transfer station located off of tribal lands between the Tribe's colony and the reservation. This transfer station serves the community and surrounding areas.

The Tribe is presently not pursuing the option of building its own transfer station.

4.2.2 Landfills

A landfill is a disposal site for non-hazardous solid wastes spread in layers, compacted to the smallest practical volume and covered by material applied at the end of each operating day.

Landfills located on a reservation can be a technically and economically feasible option for a tribe under certain circumstances, such as if a tribe is located far from available waste management facilities or the tribe generates enough waste to make an onsite facility viable.

4.2.2.1 Current Conditions

The City of Fallon has an operating landfill located approximately 15 miles south of Fallon. This landfill services all of the residents and businesses within the area.

The Tribe is presently not interested in pursuing the option of building a landfill in the future.

4.2.3 Recycling Facility

Recycling facilities can be run through a variety of means, ranging from drop-off locations to full-scale materials recovery facilities. There are three basic types of recycling facility classifications:

- Drop-Off Centers
- Buy-Back Centers
- Materials Recovery Facility

4.2.3.1 Current Conditions

The City of Fallon has a drop off recycling center located adjacent to the transfer station. There are also other recycling businesses within the Reno/Sparks and Carson City area.

The Environmental Protection Department implements a tribal departmental recycling program. Recycling materials are collected once

a week from all of the tribal departments, including Fox Peak station. Recyclables include office paper, newspaper, tin, aluminum, plastic 1 and 2, corrugated cardboard, ink toner, and e waste.

The Environmental Protection Department established three community drop-off recycling collection sites, which are located at by the environmental yard, community learning center and senior center. The department expanded the community recycling program to include weekly curbside pickup from the housing subdivisions.

The department developed a used oil recycling program. Used oil containers are checked out by tribal members to drain their oil from privately owned vehicles. The containers are returned to the department, tested and reused into a used oil furnace to heat the tribal shop building during the colder months.

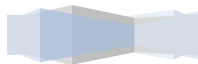
4.2.4 Compost Facility

Composting is a method for treating solid waste in which organic material is broken down by microorganisms in the presence of oxygen to a point where it can be safely stored, handled and applied to the environment. Composting is an essential part of reducing household wastes. There are two main types of compost facilities:

- Small scale operations such as residential backyard composting programs
- Community composting facilities

4.2.4.1 Current Conditions

The Tribe does not presently have a composting program on tribal lands. The Environmental Protection Department is presently researching and developing a tribal composting plan for the implementation of a composting pilot project in FY 2021.



5 ILLEGAL DUMPING

5.1 Background

For years, many reservations disposed of their waste through open dumps and burning pits and barrels. Since 1991, the federal government has made open dumping illegal. Open dumps attract wild animals and insects that can spread disease and can leak hazardous liquids into the groundwater and streams contaminating drinking water supplies and impacting subsistence fishing.

Tribes have since become more environmentally aware of the dangers to their health from this type of waste disposal and have passed tribal ordinances and regulations banning open dumping and burning. Many tribes in rural areas are faced with illegal dumping on their reservations, even with collection and disposal services available. Types of materials that can be found at illegal dumpsites include hazardous wastes, tires, appliances, furniture, car batteries and abandoned cars.

5.1.1 Types of Illegal Dumping

Illegal dumping may occur from two sources. The first source can be from reservation visitors. Reservations may often be located in remote areas where illegal dumping from off the reservation may occur. The second source can be from tribal employees and residents on the reservation who may be unaware of implications of illegal dumping.

5.1.1.1 Current Conditions

The Tribe has experienced occasional illegal dumping along roadsides and in remote areas of the reservation. Due to budget constraints, these illegal sites cannot be cleaned up as frequently as they happen.

In the past, the tribe has cleaned up a total of seven illegal dumpsites (one in 2010 and six in 2012), which were all located within the reservation. These clean-up projects were funded through the Indian Health Service.

The Environmental Protection Department will be conducting an illegal dump inventory on all tribal lands in 2021.

6 SOLID WASTE MANAGEMENT STRATEGIES

6.1 Source Reduction and Reuse

6.1.1 Source Reduction

6.1.1.1 Pollution Prevention

The Pollution Prevention Act (P2) of 1990 established a national objective to reduce wastes at the source. Preventing waste by avoiding generating it in the first place is the first step toward realizing the goal of waste reduction. This is achieved by lessening the toxicity and quantity of the waste generated through material substitution, use of raw materials, procurement policies or process changes.

6.1.1.2 Management Practices

It is the responsibility of all tribal staff to identify process changes that reduce the amount of waste generated by tribal programs. Tribal departments may request assistance from the Environmental Protection Department to assess opportunities for waste reduction within the department.

6.1.1.3 Procurement Guidance

- Procuring materials with less packaging.
- Purchasing materials that are recyclable.
- Purchasing items that are reusable.

6.1.2 Reuse

Reusing items by repairing them, donating them to charity and community groups or selling them also reduces waste. Use a product more than once, either for the same purpose or for a different purpose. Reusing, when possible, is preferable to recycling because the item does not need to be reprocessed before it can be used again.

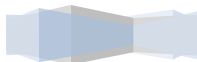
6.1.2.1 Reuse Station Events

Every year during the annual Earth Day activity week, a Free Cycle event is set up at the reservation gym. Community members are encouraged to bring and display gently used items for reuse in the community. Items that remain after the event is over, are taken and donated to local thrift shops for reuse.

6.2 Recycling and Composting

6.2.1 Recycling Programs

The tribal recycling program has been extremely effective in reducing the waste stream on tribal lands. The program has expanded over time to accept more materials by working with other local entities that accept various types of materials.



Environmental staff collect, sort, weigh, and record the amount recycled weekly and delivered to the appropriate recycling facility.

Due to limited capacity of the recycling program to accept certain types of materials, it is necessary to sometimes refer some recycling to other local entities who are able to accept certain items. Recycling materials presently accepted by the program include:

- white office paper
- newspaper
- phonebooks
- HDPE plastic bags
- aluminum cans
- tin cans
- plastics 1 & 2
- cardboard
- magazines
- electronic waste
- cellular phones
- used motor oil
- ink/toner cartridges.

6.2.1.1 Office Recycling

The departmental recycling program has been in operation, since October of 2002 and serves all of the tribal programs.

6.2.1.2 Community Recycling Centers

The community recycling program has been in operation, since August of 2004 and serves the tribal community and commercial locations. The community recycling program collects recyclable materials from three community recycling centers and transfers recyclables to appropriate locations for recycling.

6.2.1.3 Community Curbside Recycling

In 2019, the Environmental Protection Department expanded the recycling program to include curbside recycling pickup for interested subdivision residents.

6.2.1.4 Used Motor Oil Recycling

In 2010, the Environmental Protection Department developed a used oil recycling program through an EPA Hazardous Waste grant. The used oil is collected, tested and utilized in a used oil furnace to heat the Tribe's auto shop.

6.2.2 Composting

Composting is presently not being conducted through solid waste program. The department is currently researching and developing a composting plan. In 2021, the department will implement a tribal composting pilot project, which will

include the re-utilization of paper, shredded newspaper and cardboard for composting.

6.3 Disposal

After all avenues of waste diversion have been exhausted, remaining waste is contained for transport to the landfill. Contracted waste haulers collect and transports the waste to an appropriate disposal facility located off the Reservation.

6.3.1 Community Clean Up Events

The Environmental Protection Department conducts annual Earth Day community clean up days, in April of every year. The Housing Department provides funding to provide roll-off dumpsters for the colony and reservation for community members to clean-up their neighborhoods for four days. The Public Works Department also provides two of its roll off dumpsters for the event. Volunteers and departments are utilized in assisting with this annual community clean up event.

6.3.2 Community Household Hazardous Waste Collection Event

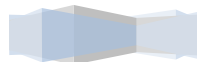
The Environmental Protection Department had scheduled a one-time community household hazardous waste collection day as part of the Earth Day activity week in April 2020. This event would provide an opportunity to the community to safely dispose of any household hazardous in their household. If the event is a success it would become an annual part of the annual Earth Day activities week.

6.3.3 Financial Considerations

The costs associated with proper waste disposal that is in accordance with all applicable ordinances and regulations are the responsibility of the person or department who generated the waste. Annual program budgets should include sufficient funding to properly manage and dispose of waste generated during the operating period. Before waste is disposed of every opportunity should be taken to recycle or reuse in order to protect the environment and decrease waste disposal costs.

6.3.4 Legal and Liability Considerations

The proper management of solid waste is the responsibility of both the FBC as well as each individual. Any instance of open dumping on the reservation is illegal according to FPST Open Dump Ordinance and the individual responsible for such dumping may be held liable in accordance with the law. Additionally, because certain waste streams are regulated by the EPA through RCRA, the improper management of those regulated wastes may result in liability on the part of the Tribe or an individual. Wastes that are classified as RCRA are the responsibility of the generator from “cradle to grave.” As such, improper disposal of such wastes may open up the employer to liability and be punishable in accordance with federal law. It is important to consider individual liability when determining the waste disposal methods available to protect yourself and the Tribe from legal liability. All RCRA regulated wastes should be reported to



the Environmental Manager to ensure proper management procedures are followed.

6.4 Facilities and Equipment

The Tribe does not have any onsite facilities for waste management or recycling.

Equipment used by the Environmental Protection Department for the collection and transport of recycled materials includes:

- 2009 Chevrolet Silverado
- 2019 dump trailer
- 3 compartmented recycling containers
- 1 compartmented recycling trailer

6.5 Education and Outreach

The Environmental Protection Department provides education to the community on reducing waste generation through source reduction, recycling, reuse and composting. In order to effectively provide community outreach to the largest number of people possible, the following areas of public sources are utilized for educational opportunities:

- Community events
- Public Meetings
- Media outlets
- Senior outreach
- Youth outreach

7 CONCLUSION

7.1 Considerations

The size and population of the Reservation/Colony are directly related to the amount of solid waste and recyclables generated. As tribal membership increases the number of residents will also increase along with the amount of solid waste produced.

Another important factor the Tribe will consider in waste management planning is the strength of recyclable markets, which may vary considerably and may determine whether or not an item is recycled. Currently, the number of materials locally accepted for recycling is low compared to the need for increased recycling regionally.

7.2 Limitations

Limitations for expanding the Tribe's solid waste and recycling program include financial resources to fund personnel and purchase equipment to achieve its goal of proper management.

7.3 Program Needs

7.3.1 Funding

The Tribe's recycling program is presently funded through the U.S. EPA General Assistance Program (GAP) grant. Recycling funding is essential to continue the program successfully. The limitation of monies available is one of the barriers to expand the recycling program for waste stream diversion on the reservation.

Funding for expanding and implementing recycling activities will no longer allowed under the GAP guidance.

7.3.2 Capacity Building

7.3.2.1 Personnel Development

As training is critical to the success of the solid waste management program, the Environmental Protection Department will continue to seek funding for training opportunities. When available, solid waste management trainings will be offered to key personnel to help insure participation and success of the program.

7.3.2.2 Equipment and Facilities

If the Tribe decides to implement its own garbage curbside pickup service for its residents, a new garbage truck would be needed to be purchased.

A new composting facility and equipment would be needed in the future, if the composting pilot project develops into something substantial.



7.3.3 Ordinances and Policies

The Fallon Paiute-Shoshone Tribe adopted an Open Dump Ordinance to provide a process and standards for the prevention of open dumps within tribal lands or adjacent boundaries and to protect and preserve the tribal health, safety, welfare, customs and traditions, lands and environment.

The Open Dump Ordinance was adopted in 1999 and will need to be reviewed and updated to reflect any new environmental concerns or issues. There may be other solid waste ordinances to consider to address proper solid waste management.

7.4 Future Planning

Managing waste is a challenge because it poses unique problems and must often be handled with limited resources. To further expand and enhance the Tribe's waste management program the following planning considerations will be addressed:

- Comprehensive Waste Stream Analysis
- Update and Revision of the Open Dump Ordinance
- Development of a Tribal Composting Program
- Implement a yearly Community Household Hazardous Waste Collection Day
- Seek funding to expand Waste Management Capacity
- Complete a feasibility Study for a Tribal Waste Collection Service

7.5 Programmatic Review

This ISWMP will be reviewed by the Environmental Protection Department annually to ensure that the needs of the Tribe and community residents are being met. As conditions and circumstances change it will be necessary to update and revise the ISWMP for FBC approval.

Appendix A

Open Dump Ordinance